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TO

THE MEMORY

OF

MY MOTHER

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PREFACE

THE first two studies in this volume appeared in the *Bibliotheca Sacra* for 1921, and are reprinted with slight modifications under an arrangement made with the late Professor G. Frederick Wright. The favourable reception accorded to them in article form, in spite of the novelty of many of the ideas, leads to the hope that their republication may interest a wider public. The third study now sees the light for the first time.

The author is indebted to his friend Mr. J. Meek for kindly seeing the volume through the press and supplying the indices.

May, 1924.

DR. N. REICH

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DR. N. REICH

EARLY HEBREW HISTORY

Some Factors in Early Hebrew History

THE religious interest attaching to the fortunes of Abraham and his descendants up to the time of the schism inevitably overshadows the political aspects of the history, even in circles that accept the historical nature of the early records. Comparatively little thought is devoted to a consideration of the forces that were at play in the creation and moulding of the nation. Yet it is not difficult to show that this neglect is unwarrantable. So far from meriting less attention than the secular history of other nations, the causes that influenced the making of the Jews are deserving of study on two grounds. They possess the fascination and value of historical factors in the same measure as those that have helped to form other secular history. In addition they claim our consideration because of their effect on the religion. Life, however many-sided, is always a unity, and no single facet of it is ever isolated in a water-tight compartment shut off from all others. The study of any great branch of a people's activity cannot be wholly disjoined from the background afforded by the other phases of the national life, least of all where the most vital manifestations of that activity are evoked by extraordinary crises in its political experiences. How inseparable politics and religion are in the case we have to consider is most easily shown by an illustration. Cut out all that depends on the sojourn in Egypt, the Exodus, the wanderings, and the monarchy and achievements of David and his successors, and what would remain of the religion of Israel ?

The connection is so close that any real divorce of the religious history from the national is unthinkable; and in the long run we shall understand the religion the better if we attempt for once to study the development primarily from the secular point of view, regarding the religion as only one of the factors in the growth of the nation.

One of the first things that must strike any attentive observer of the patriarchal history is the tendency to separate. In other words, there is a centrifugal force or centrifugal forces at work. Abraham separates from his brothers; then Lot and Abraham, Isaac and Ishmael, Jacob and Esau, fall apart, and there are incipient divisions between Jacob's sons; while in Gen. xxv. 6 we read how Abraham sent away the sons of the concubines. Sometimes one reason is assigned, sometimes another; but, underlying and emphasizing all the actual occasions for separation, one great force is operative. It is the natural tendency to centrifugalism which is inherent in the psychology of the race. How far it was checked at a later stage we shall have to consider hereafter; but, for the moment, we have to emphasize the existence of this tendency, and then note the secondary causes which assisted its development or perhaps in some cases only gave expression to it.

Undoubtedly the first of these causes is the idealism of the race. From first to last this is to be seen operating—fostering and emphasizing the centrifugal tendency for the most part, though sometimes acting as a unifying force. This idealism manifests itself particularly in two forms, but these are closely intertwined—the relationship towards God and the desire for political and territorial greatness. The command to Abraham to leave his kindred and his country permits no doubt as to this: "I will make of thee a great nation, and I will bless thee and make thy name great: and be thou a blessing" (Gen. xii. 2); "Unto thy seed will I give this land" (ver. 7). These ideas recur again and again, but for the moment one only of their consequences is of special interest to us—the natural tendency to aloofness and separation that they would foster in the early days of the race.

Next to the centrifugal tendencies of the idealism we may mention two other internal causes, that might have proved less effective in a people of somewhat different psychology—the recurring jealousies and the effects of differences of temperament. The hostility of Sarah and Hagar (Gen. xvi., xxi. 9 ff.), with the consequent friction between Ishmael and Sarah (xxi. 9-14), the natural incompatibility of Jacob and Esau, the jealousy of Joseph's brothers, were all contributory to the dominance of centrifugalism. Had there been any adequate binding force to counteract them during this period, the result might have been different ; but in the earlier parts of the Genesis narrative nothing of the kind can be traced.

The natural expansion of the patriarchal *familiæ*—to borrow the appropriate term from Roman law—inevitably drove the wedge home. The patriarchs were individuals, but their households consisted not merely of wives and children, but also of slaves. The conception that they were tribes or clans lacks foundation ; but the sources make it abundantly clear that they were the heads of very large familiæ. The narrative of the separation of Abraham and Lot throws light on the disruptive force of expansion with the friction it brought in its train (Gen. xiii. 5-7). The two reasons given for the parting—the inability of the land to bear them both, and the strife between their herdsmen—are in reality one, for it was the expansion that rendered the strife a serious factor, even if it did not originally cause it.

Thus the first great tendency that we find at work dominating the history of the period is centrifugalism, fostered and increased by various minor forces operating for a long time without any visible check. Nor should we fail to note that the semi-nomad stage of civilization to which the patriarchs belong, with its lack of a permanent territory, provided conditions that were singularly favourable to the free play of the disruptive forces.

If the idealism of the race contributed to the strength of centrifugalism, it also operated to shape its fortunes in other ways. The special relationship to God, the tendency towards what may be called separateness (i.e. the ideal of becoming a separated people), the strong consciousness of

being links in the great living chain of generations that inherited the covenants, are all evident in the narratives of Genesis. Taken together with the fact that the patriarchs were strangers and sojourners in the land, and with the practice on an extensive scale of endogamy, these traits had the effect of making a stock of which, in the future, it might be truly said, "Lo, it is a people that dwell alone" (Num. xxiii. 9). Most of the factors are too obvious to call for further notice.

Centrifugalism and separateness are thus the two dominating tendencies of the period; and in regard to both we find internal factors, rooted in psychology, called into play and reinforced by the pressure of external influences. If, for example, the tendency to separateness leads naturally to endogamy, we find this strengthened by such causes as the friction between Rebekah and her Hittite daughters-in-law (Gen. xxvii. 46 ff.), the religious barrier between Israel and Shechem (Gen. xxxiv.), and the position of foreigners occupied by the patriarchs in Palestine.

But history is not moulded by general tendencies alone; and even in this period we see two other vital factors at work—the personality of one great man, Abraham, and the distinctive quality of his religion. Both of these are better considered later, when the materials for comparison and contrast throw into relief the essential aspects. For the moment it is sufficient to point to the fact that, without the personality and religion of Abraham, there would have been no Moses or David, no Israel or Judah.

When the Israelites descended into Egypt the two great tendencies are still at work. True, endogamy is no longer the absolute rule, as we see from Gen. xxxviii. and xli. 45; and the mixed multitude of Exodus shows that unions with Egyptians became common. On the other hand, the refusal of Egyptians to eat with Hebrews (Gen. xliii. 32), and the religious and racial differences, contributed to the strengthening of the feeling of separateness; and this probably received a powerful impulse, at the time of the expulsion of the Hyksos, from the wave of anti-foreign feeling represented by Ahmose.

Our authorities present us with a complete blank for the period between the death of Joseph and the accession

of Ramses II, except, perhaps, for one notice of doubtful interpretation and value. We read in 1 Chron. vii. 21 ff. of certain sons of Ephraim "whom the men of Gath that were born in the land slew, because they came down to take away their cattle." This looks as if Ephraimites had made an unsuccessful raid on Gath during the Egyptian period; and when the small extent of the cities of that day is remembered, and the insignificance of the forces employed in their defence,[1] there is nothing impossible in the notice. The information about Sheerah[2] is too scanty to permit any considerable inferences to be drawn; but, taking the two items together, we may hold that in the Chronicler's view the Ephraimites did not simply remain rooted in Goshen for 400 years.

The Egyptian period first introduces us to the full operation of that great force which throughout the national history has shared, with the religious motive and the influence of separatism, the task of combating centrifugalism, viz. foreign pressure. In the patriarchal age there had been signs of it in the friction with Abimelech's servants (Gen. xxi. 25, xxvi. 25 ff.), but the men of Shechem had been prepared to fuse themselves into a single people with the Israelites; and, with the freedom of intermarriage observable during the Egyptian period, the absorption of Israel into other peoples was not inconceivable. The anti-

[1] See *Bibliotheca Sacra*, Jan., 1917, pp. 107–10. Professor M. Löhr, who has read this in typescript, kindly draws my attention to the fact that the expression "came down," which is here used of the Ephraimites, is inept for persons coming from Egypt. He urges, therefore, that they are probably regarded as occupying Mt. Ephraim, so that the notice refers to some period subsequent to the conquest. The point appears to be well taken, but I scarcely think it is decisive. The Chronicler seems to have considered that the episode occurred in the lifetime of Ephraim. We do not know with certainty where Gath was situated, and we cannot be sure that its position, together with the particular route taken by the Ephraimites, or possibly even some special linguistic usage current when this notice received its present form, did not justify the employment of the term. Or again, the Chronicler may have used an infelicitous expression in summarizing the information before him. Hence it may be that if we knew more the linguistic difficulty would disappear.

[2] "And his daughter was Sheerah, who built Beth-horon the nether and the upper, and Uzzen-sheerah" (ver. 24).

foreign feeling roused by the Hyksos domination, which led to the expulsion of that people, has already been noticed; nor must it be forgotten that from the first the Israelites had been quartered in a special district (Goshen), where, as we know from Papyrus Anastasi VI, foreign nomads and their herds were sometimes sustained in the domain of Pharaoh. When Pithom and Raamses [1] were built as store-cities, Egyptian garrisons and populations would be introduced into the district. But by that time the policy of oppression inaugurated by Ramses II was already counteracting centrifugalism in the strongest possible way. On the whole, then, the forces at work during this period inevitably tended to strengthen the separateness of the people and to prevent its assimilation or disruption. At this point it is desirable to glance at the organization that had developed. We read of elders, who of course would be purely tribal, and "officers of the children of Israel which Pharaoh's taskmasters had set over them" (Exod. v. 14), but there is no sign whatever of any national authority. And in the Mosaic age we find the tribal sentiment dominant. At Sinai twelve pillars, according to the twelve tribes of Israel (Exod. xxiv. 4), are erected. The spies, judges, and officers are appointed by tribes (Num. xiii.; Deut. xvi. 18), the land law is purely tribal, and the feeling is so strong that, in the case of heiresses, intermarriage with men of another tribe is prohibited (Num. xxxvi.). Here we find the sentiment asserting itself in a way that shows how far the tribe was from being merged in the nation. For our present purpose we are concerned to emphasize the con-

[1] See my article, "Pithom and Raamses" (*Ancient Egypt*, 1923, Pt. III, pp. 75–7), where some misconceptions that have recently gained currency are corrected. Since that was written news has come of the excavations conducted at Beisam (Bethshean), on behalf of the University Museum of Philadelphia, which resulted in the discovery of a stela of Ramses II. Mention seems to be made on it of the apparent collection together of certain Semites in order to assist in building "the town of Rameses-Meri-Amen which is situated in the eastern delta of Egypt." At the time of going to press this is known to me only from *The Times* of October 26, 1923, and the *Homiletic Review* for February, 1924, and further details will be awaited with interest.

nection between tribalism and centrifugalism. Where the tribal feeling overshadows the national, the soil is prepared for disintegration and civil war, and the principle of centrifugalism finds full scope. On the other hand, external pressure might be—and at certain periods actually was—strong enough to counterbalance the tribal centrifugalism.

Thus, by the end of the Egyptian period, all the main influences that were to shape the history of the people throughout the ages had come into play. Centrifugalism and separatism, the special religious position and external pressure,—those are the four great forces that stand out in the web of the national history, mingling though they do at all times with other factors, personal, climatic, economic, intellectual, and so forth.

The oppression inevitably led to a revival of national and religious feeling among the Hebrews. We see its first recorded manifestation in the narrative of Moses' intervention in the dispute between a Hebrew and an Egyptian. The people who had not been too faithful to the God of Abraham (Ezek. xxiii. 3, 8, etc.) naturally began to remember Him in their distress. Then came the death of Ramses, the revelation on the Mount, and the return of Moses. In the succeeding plagues the strife of the peoples is merged in the battle of the gods. The great deliverance and the events leading up to it constituted a manifestation of the divine power which sank deep into the national consciousness, and has never ceased to operate by way of tightening the grip of the religion on the people. It was the deliverance from Egypt that, more than any part of the formative period, decided the future history of the Israelites.

We have, then, a loose aggregation of tribes, bound together by a common descent, a common danger, a common history, a common relationship to their God, and the preeminent leadership of one man. For the moment centrifugalism was outmatched by the perilous situation in which they all stood. Behind them was the Egyptian *corvée*, in front the Amalekites. We cannot now identify with certainty the site of the first battle, but it is absolutely clear from Exodus xvii. 8 ff. that the united forces of Israel had some difficulty in defeating the enemy. Had they been divided into two or more federations of tribes, the

separate bodies would have suffered overwhelming defeat. Secession was not a practical possibility in the Mosaic age, for it must have meant destruction to all the separate parts.

In approaching the work of the desert period it is well to glance at some of the conditions under which it had to be accomplished. Our information here is uncommonly full, for it must be remembered that every law introduces us to some problem of life or thought and the solution propounded for it; and that much the same holds good, though in a lesser degree, of the narratives and of many of the observations in the speeches. But, for our present purpose, many of these may be laid aside as being devoid of political significance. For example, the precise steps taken to provide meat and drink for the people on various occasions do not touch the present inquiry, nor does the law of gleaning or of pledge. With the religion, too, we are concerned on this occasion only in so far as it has important political bearings.

Attention has already been drawn to the intensity of tribal feeling during this epoch. The Israelites in Egypt had, in fact, been a company of separate tribes without any common organs of government. While this forms the background of much of the organization and work of Moses, the difficulty it threw in the way of the erection of a strong central power must not be overlooked. "Ye take too much upon you, seeing all the congregation are holy, every one of them, and the Lord is among them: wherefore then lift ye up yourselves above the assembly of the Lord?" (Num. xvi. 3). Nor, as we shall see, was it ever possible successfully to overcome this feeling. Another less important force that greatly influenced the course of the legislation may be noticed in passing—I refer to the blood feud and the sentiment of vengeance. Inasmuch as this is common to all early peoples and was of relatively small political importance, we need not linger over it. The legal rules adopted reckoned with the difficulties it presented, and were ultimately successful in eliminating the danger to society which was inherent in this institution.

More important for our purpose is the question of the treatment accorded to foreigners. It is clear that the

policy here was largely dictated by the religion. Moses himself had married a Midianite girl. He sought to induce his wife's kinsman to join the Israelites. According to the LXX text of Numbers x. 31, he even promised that "thou shalt be an elder amongst us." He expressly permitted certain unions with Midianite women (Num. xxxi. 18), and foreign captives generally (Deut. xxi. 10 ff.), provided that they did not belong to the nations excepted on strictly religious grounds (Deut. vii. 1 ff.). Edomites and Egyptians could be admitted to the congregation of the Lord in the third generation (xxiii. 8 ff.). The exclusion of Ammonites and Moabites (xxiii. 4 ff.) is actuated by the hostility of their attitude towards the wandering Israelites. These provisions, and the policy adopted generally in the legislation, show us that there was no objection to foreigners as such. Except where there was danger to the religion, intermarriage was freely permitted; and the ancient equivalent of full naturalization was allowed to the third generation of certain peoples and to the first generation of the friendly Kenites. The policy is favourable to assimilation *by* Israel where there is no historical antipathy or religious peril. This, of course, throws into bolder relief the attitude adopted where there was danger of religious assimilation *of* Israel. And here stress should be laid on the important fact that the people were to invade a country which was much too large for their immediate requirements, and occupied by a number of hostile and relatively powerful peoples that followed religious and other usages which menaced the national ideal of morality and holiness. The legislation constantly emphasizes these points. The overwhelming numbers, and religious dangers, form the theme of Exodus xxiii. 28–33. The peril to the purity of Israel's faith is driven home in most emphatic language in xxxiv. 12 ff. The menace to morality and holiness is the burden of Leviticus xviii. 3–5 (cp. 24 ff.).

One other matter must not be overlooked. The original intention was that after leaving Sinai, the Israelites should invade Canaan from the south in the second or third year of the Exodus.[1] It was only the failure of the people's

[1] See *Bibliotheca Sacra*, July, 1916, and October, 1919.

morale after the report of the spies, and the subsequent crushing defeat, that led to the long period of wandering in the wilderness; and in estimating the statesmanship and intentions of Moses this must never be forgotten.

This lack of morale is seen more than once. The fugitive Israelites left Egypt with a broken spirit (Exod. xiii. 17, xiv. 11–14). There is, therefore, nothing surprising in the failure of courage that was displayed after the return of the spies. And this was a danger that Moses feared long subsequently, when the long desert wanderings had in fact restored the tone of the people's sentiment. It was this that alarmed him when the trans-Jordanic settlement was mooted (Num. xxxii. 7–10, 14 f.). The moral effects of the long oppression left their imprint on the spirit of the people for many years, and it was only as the result of the wanderings that this difficulty was overcome.

It is in the light of these conditions that the work of the desert age should be studied; and in that study three of the four great factors—the relationship to God in its political implications, centrifugalism, and separatism—should be borne in mind. The fourth, foreign pressure, during this period, takes the form of compelling the sojourn in the desert; but there is naturally no direct contact such as we find in other ages.

At the first glance, it is obvious that the period of the wanderings automatically contributed something towards the strength of national unity which was independent of any policy or design. The mere fact that the tribes acted together for forty years under a single outstanding leader, and underwent common trials, necessarily endowed them with the consolidating force of a vital historical experience and the memory of the common possession of a great statesman and patriot.

The relationship to God on its political side tended to counteract centrifugalism and to weld the tribes into a single unit. The fundamental offer of the Sinaitic covenant makes this clear: "Ye shall be a peculiar treasure unto me from among all peoples . . . and ye shall be unto me a kingdom of priests and a holy nation" (Exod. xix. 5 f.). "A holy nation," be it observed,—not, in the lan-

guage of Genesis, a company of peoples. Twelve pillars are erected, "according to the twelve tribes of Israel" (Exod. xxiv. 4), for the ratification of that covenant; but thenceforth, and throughout the legislation, the view is taken that the unit is the single people of Israel, not the twelve tribes. The covenants made Israel a nation just as truly as they placed it in a special relationship to God, and this aspect of their operation should be emphasized. "The Lord hath avouched thee this day to be a peculiar people unto himself" (Deut. xxvi. 18). The public sacrifices of Numbers xxviii. f. are on a national, not a tribal, basis. They are offered on behalf of a single Israel, not of the twelve tribes. The conception of a company of peoples is entirely foreign to the policy of the Law towards the Israelites. In all its parts the legislation proceeds on the view that the people is the unit, though for certain administrative purposes the tribal organization is utilized and even expanded. The solitary exception to this rule well illustrates the conflict between the national policy of Moses and the centrifugal tendency. When he provides that daughters may inherit land in certain cases, tribalism scents a danger. A deputation waits on the lawgiver and secures the concession that heiresses may only marry within their own tribe to avoid the alienation from it of any portion of the property of its lot (Num. xxxvi.). The narrative and resulting laws clearly illuminate the true state of popular feeling, the extreme strength and narrowness of the tribal sentiment and the lack of national vision. But they also serve to throw into relief the dominant tendency of the religious relationship and Mosaic policy to combat centrifugalism.

The policy of religious separatism which is so prominent a feature of the thought and enactments of the age, by giving all Israelites a marked differentia from all non-Israelites, and also by its moral effects, tended in the same direction. It, too, is strongly stressed in the very words we have already quoted from the fundamental offer to show the policy of unification. "A peculiar treasure from among all peoples," "a kingdom of priests," "a holy nation,"—each phrase in turn adds something to the emphasis of the separation of this people from all others.

Historical experience and separatism are shown to us blended together in the words of Moses in Exodus xxxiii. 16: "For wherein now shall it be known that I have found grace in Thy sight, I and Thy people? is it not in that Thou goest with us, so that we be separated, I and Thy people, from all the people that are upon the face of the earth?" This inevitably resulted in the creation of a power of resistance to assimilative tendencies. "And ye shall be holy unto Me: for I the Lord am holy, and have separated you from the peoples, that ye should be Mine" (Lev. xx. 26). That is the keynote of much of the legislation the special provisions of which do not touch our present subject. Their joint effect, however, would be partly external and partly internal. Externally they would make a barrier between Israelites and non-Israelites and a bond of union among all Israelites. Internally they would inspire the people with a feeling of self-respect and moral worth. Both alike tended to maintain their unity and exclusiveness.

We have already glanced at the conditions that necessitated the stressing of a policy of separateness if Israel were to maintain itself and its religion in Canaan—the presence of a number of more powerful peoples and the nature of their worship and conceptions of morality. Indeed, the passages already cited from Leviticus are found in association with legislation directed to the erection and maintenance of distinctive standards of individual and national holiness. At this point the reasoned commands of Deuteronomy vii. 1–7 may be quoted as giving a forcible summary alike of the policy of separation and the reasons for its necessity:

"When the Lord thy God shall bring thee into the land whither thou goest to possess it, and shall cast out many nations before thee, the Hittite, and the Girgashite, and the Amorite, and the Canaanite, and the Perizzite, and the Hivite, and the Jebusite, seven nations greater and mightier than thou; and when the Lord thy God shall deliver them up before thee, and thou shalt smite them; then thou shalt utterly destroy them; thou shalt make no covenant with them, nor shew mercy unto them: neither shalt thou make marriages with them; thy daughter thou shalt not give unto his son, nor his daughter shalt thou take unto thy son. For they will turn away thy son from following me, that they may serve other gods: so will the anger of the Lord be kindled against you, and He will destroy

thee quickly. But thus shall ye deal with them; ye shall break down their altars, and dash in pieces their pillars, and hew down their Asherim, and burn their graven images with fire. For thou art an holy people unto the Lord thy God: the Lord thy God hath chosen thee to be a peculiar people unto Himself, above all peoples that are upon the face of the earth. The Lord did not set His love upon you, nor choose you, because ye were more in number than any people; for ye were the fewest of all peoples."

The possession of a common system of law acts as a unifying force; and hence we must assign indirect political importance to the legislative and judicial work of Moses in the civil and criminal fields. Some of his enactments, however, had a more direct political bearing. The most striking of these is undoubtedly the law of pilgrimage. On its religious side the central sanctuary was intended to have a far-reaching effect in guarding the people from apostasy and idolatrous practices (Deut. xii.); on its political it had consequences which necessitated its destruction when the final schism came. The best way of ascertaining the political value of the Mosaic ordinances is by giving careful consideration to the steps that were taken to undo their effect when Israel was permanently rent into two. Jeroboam was unquestionably the ablest Hebrew statesman of his generation. He had raised himself from nothing to the throne of the larger portion of the Hebrew tribes; and, while he was undeniably favoured by circumstances, it is perfectly plain that he possessed great ability. He was in a position to know what were the effects of the various institutions; and it was indispensable for him to take measures to counteract those that made for national unity. Consequently special importance attaches to his selection of the points for attack and to the nature of the blows he directed against them:

"And Jeroboam said in his heart, Now shall the kingdom return to the house of David: if this people go up to offer sacrifices in the house of the Lord at Jerusalem, then shall the heart of this people turn again unto their lord, even unto Rehoboam king of Judah; and they shall kill me, and return to Rehoboam king of Judah. Whereupon the king took counsel, and made two calves of gold; and he said unto them, It is too much for you to go up to Jerusalem; behold thy gods, O Israel, which brought thee up out of the land of Egypt. And he set the one in Beth-el, and the

other put he in Dan. And this thing became a sin; for the people went to worship before the one, even unto Dan. And he made houses of high places, and made priests from among all the people, which were not of the sons of Levi. And Jeroboam ordained a feast in the eighth month, on the fifteenth day of the month, like unto the feast that is in Judah, and he went up unto the altar; so did he in Beth-el, sacrificing unto the calves that he had made: and he placed in Beth-el the priests of the high places which he had made. And he went up unto the altar which he had made in Beth-el on the fifteenth day in the eighth month, even in the month which he had devised of his own heart: and he ordained a feast for the children of Israel, and went up unto the altar, to burn incense" (1 Kings xii. 26–33).

The whole passage has been quoted because it shows so clearly how Mosaic legislation that was primarily religious in character operated against centrifugalism in the political field.

Let us just consider the reasons for his changes. He did not seek to abolish the institutions he attacked altogether. That would have been impossible, for he could not change the whole mentality of his age. On the contrary, he found it necessary to substitute other institutions outwardly almost identical, though in reality subtly unlike. And so with profound insight into the psychology of his people he opposed a form of syncretism to the purer Mosaic faith. The Baal of Israel was likened to the baals of the surrounding peoples by the introduction of the bull of Hadad, the baal *par excellence*. It was because the historical and unique Ark, with its clustering associations, worked for national unity that the bull was introduced as a counter-attraction into the imageless worship of the Baal of Israel. It was because the law of pilgrimage tended towards national unity that Jeroboam took steps to prevent the periodical visits to Jerusalem. It was because the Levitical priesthood was a powerful force in the same direction, that he created a fresh priesthood with none but northern associations, owing its position not to history or the choice of God, but simply and solely to the favour of a king to whom it was consequently devoted (cp. Amos vii. 10 ff.) and dependent on the continued separation of the two kingdoms for its priestly status. Again, it was because common religious observances made for unity that he ordained a feast for the children of Israel

in the month which he had devised.[1] But even this does not exhaust the lessons to be learnt. Both systems, that of Moses and that of Jeroboam, were submitted in the course of history to the most exacting tests that can be conceived. And the results were supremely unlike. While abuses crept into both and were cleared away, the prophet's system has enabled his people to emerge ultimately faithful and triumphant from the appalling trials of two exiles, while the king's had no such power. Wherein lies the reason for this difference? Not in superior numbers or wealth, for Judah was the smaller and poorer of the two kingdoms. Not in a difference of blood, for the stock was the same in all essentials. Not in the pilgrimages, or the priesthood, or the date of a festival; for, in the exile, the pilgrimages were impossible, the priesthood did not function, and nothing could turn on whether a festival (if celebrated at all) was kept in the seventh or eighth month. The reason lies elsewhere. Fundamentally the imageless worship was a religion that differed most vitally from the heathen cults: the bull worship, on the other hand, was a compromise with heathenism. Again, the Levitical priesthood, whatever its backslidings, could return to the Law, to which, in the last resort, it owed its existence; but the priesthood of Israel was, by its nature, compelled, in all circumstances, to reject the book which proved its illegitimacy. The Jews could, and ultimately did, find in it a source of life; but this was not open to those who followed Jeroboam. The Israelite monarchy was based on the despiritualization of the idea of God and the rejection of the Torah: the Judæan, on the other hand, however faithless its occupants may frequently have been to spiritual religion, rested on nothing that was incompatible with it, and always had the possibility of returning to the Torah. To establish his throne Jeroboam perforce took a line that ultimately destroyed both religion and people. And so we learn yet another historical lesson. We see that the great spiritual command of the Decalogue possesses direct political power of an extraordinary kind, and we recall the fact that the religion of Abraham had been marked

[1] Probably a later harvest in the north made this a popular measure.

by this distinctive quality. There can be no more striking evidence of the statesmanship of the Mosaic provisions, and the state-building and nation-preserving power of the religion, than the measures taken by the arch-opponent of national unity to undo them, and the difference in the outcome of the two systems when submitted to the final tremendous test.

If it is the law of pilgrimage that first impresses the mind with the political effects of the central sanctuary, we must be careful to remember that that is not the only way in which the religious capital operated in favour of the national unity. During the lifetime of Moses there had been a supreme court for the trial of cases of exceptional difficulty which were reserved for it by the ordinary judges (Exod. xviii.). At first this consisted of Moses alone. Later we find the high priest and others associated with him (Num. xxvii., etc.). Now it was enacted that this institution should be continued at the religious capital (Deut. xvii. 8 ff.). This gave to the whole nation the benefits of a directing head in the legal sphere, and insured the rule of a single system of law throughout the country. Furthermore, the possession of this capital provided an organizing centre and brain for the great institution through which the teachings of the Mosaic religion radiated throughout the length and breadth of the land—the Levitical priesthood. And this leads to a consideration of the political effects of this—the remaining object of Jeroboam's attack.

In surveying the conditions of the work of Moses we observed the great power of tribalism. The lawgiver might strive to make a single nation, but at the outset he was confronted with a number of tribes of common origin and customs without a single national organ ; and the case of the daughters of Zelophehad shows us quite clearly that at the end of his life he still had to reckon with separate entities that were averse to all fusion. In such circumstances there was naturally no common administrative service of any kind. Moses alone, as the leader in the historical emergency, was the common organ of all the tribes. Even he had to maintain his authority against a rude challenge (Num. xvi.) : " Behold, while I am yet alive with you this day, ye have been rebellious against the Lord ; and

how much more after my death ?" (Deut. xxxi. 27). That is only one of many similar utterances ; and if the rebellion of which complaint is made was against the Lord, we must yet remember that it was directed against the national leadership which was exercised in His name. To the last it would appear that ordinary judicial and administrative appointments were purely tribal. It would seem that this had to be so, on account of the strength of the tribal feeling. For the purposes of a battle or a campaign, a single leader would necessarily be accepted (Joshua in Exod. xvii. 8 ff. ; cp. Num. xxxi.), but it seems very doubtful whether the sentiment of unity was yet sufficiently strong for the formation of an intertribal executive service of any sort. In those conditions Moses succeeded in forming a permanent national institution, charged with important religious and other functions, by the device of dedicating a whole tribe to the priestly service and depriving it of equality of tribal right in secular power and possessions. Thus the other tribes, which might have resented the giving of any kind of religious privilege or authority to members of a rival secular tribe, were induced to submit to the authority of a hereditary priesthood, charged with the performance of a wide range of duties.

Such seem to have been the principal political tendencies of the work of Moses. One great omission is most striking. There is no permanent central executive authority. I use the word "executive" deliberately ; for, on the religious and judicial sides, the priesthood and the arrangement for a supreme court cover the ground. And it must be remembered that a supreme court in fact creates new law, when necessary, to deal with any case that comes before it. This invariably happens, because when a court has to decide a case, it cannot refuse to deal with the matter on the ground that there is no law bearing on the point at issue. Consequently it gives a judgment which in reality makes the law that is required to cover the point. A portion, therefore, of the functions of a legislature was embraced in this Mosaic provision ; for, in any matter that could form the subject of judicial decision, the supreme court would in effect make new laws, as Moses had done in, e.g., the case of Shelomith's son (Lev. xxiv. 10 ff.).

And some portion of the legislative field was covered, though not continuously, in the provisions as to the activity of future prophets (Deut. xviii. 15 ff.). None of these, however, gave the permanent central executive which alone can insure the safety of a nation from external dangers. Deuteronomy xx. 9 shows this clearly in the military sphere. Only when battle was about to be joined were commanders to be appointed. The danger of being without a permanent central executive was understood and foreseen, and a law was enacted providing regulations in the event of its future creation (Deut. xvii. 14 ff.).[1] In the near future the Israelites were to experience the dangers to which their lack of an adequate government exposed them.

The reason for the omission appears to have been the intense tribalism. We have seen several manifestations of it, even to the extent of imperilling the position of Moses himself. This conclusion is reinforced by the lessons of the period of history which we have yet to survey. These show that the tribes were not yet ready to submit to any permanent supreme authority. They could sometimes obey an outstanding personality in an emergency, and victory would give him prestige and authority for the remainder of his life, but these could not be transmitted to a son. Nor were the personal factors favourable to the creation of the necessary dynasty. The circumstances of the people when Moses was about to leave the stage, imperatively called for the vesting of the supreme executive authority in their best general. It was the Ephraimite Joshua, and not a son of the lawgiver, who possessed this qualification. Indeed, the sons of Moses either died young or else were nonentities. We hear nothing of their lives and actions, and it seems clear that the personal factor rendered a Mosaic dynasty impossible. Had the lawgiver had a son of commanding military talent to succeed him, the political problem might have been susceptible of a different solution.

[1] Dealing with a king, according to the Hebrew, but with rulers, according to the LXX (see H. M. Wiener, *Pentateuchal Studies*, pp. 157 ff., and cp. the Edomite dukes in Genesis xxxvi. 15 ff., Exodus xv. 15).

When we turn to the post-Mosaic history we find striking confirmation of these views.[1] The Book of Joshua shows us the uncertainty as to the position that even the disciple of Moses himself would occupy in the endeavour to lead. The promise of obedience to him by the trans-Jordanic

[1] A word must be said as to the historical conditions that made possible the part played by Israel in and after the age of Joshua. At the time of the Israelite invasion, and throughout the rest of the period covered by this study, Babylonia was in no condition to wage an aggressive campaign in Palestine. The Kassite dynasty was still on the throne, but seems to have been involved in a struggle of varying success with Assyria, and to have come to an end in 1185 B.C. as the result of an Elamite invasion (L. W. King, *History of Babylon* [1915], pp. 244 f.). Their early successors had their hands full in dealing with the same two foes; and, though Nebuchadnezzar I (*circa* 1140 B.C.) won victories, and did much to re-establish the position of his country, he does not seem to have penetrated to the neighbourhood of Palestine. "It is true," writes Dr. King (*op. cit.*, p. 255), that "Nebuchadnezzar claimed among his titles that of 'conqueror of Amurru,' but it is doubtful whether we should regard this term as implying more than a raid into the region of the middle Euphrates." Some years later (*circa* 1110) Tiglath-Pileser I inflicted a heavy defeat on Babylonia, and thereafter the country seems to have been overrun by semi-nomad tribes from beyond the Euphrates. "This was probably the first of many raids, and we may see evidence of the unsettled condition of the country in the ephemeral Babylonian dynasties, which followed one another in quick succession" (*op. cit.*, p. 257). Tiglath-Pileser himself reached the Mediterranean north of Palestine, but was almost immediately recalled to the east by a Babylonian attack (H. R. Hall, *Ancient History of the Near East* [5th ed., 1920], pp. 388, 395, 398; A. T. Olmstead, *History of Assyria* [1923], pp. 64 f.).

The Hittites and Egypt were in no better case. In the year 8 of Ramses III a confederation of northern peoples attacked the Egyptian Empire in Syria. "The Syrian dominions of the Hittites must have been lost and the Hittite power in Syria completely broken" (J. H. Breasted, *History of Egypt* [2nd ed., 1909], p. 479). The Pharaoh was successful in routing them by both land and sea. He perhaps waged another northern campaign some three years later, but our information as to this is very meagre. "It was the last hostile passage between the Pharaoh and the Hittites; both empires were swiftly declining to their fall, and in the annals of Egypt we never again hear of the Hittites in Syria" (*op. cit.*, p. 483). Thereafter the field was clear, so far as the great powers were concerned, for the native states, the Philistines and Israel, but we cannot suppose that these campaigns had left the small powers of Canaan unweakened. Doubtless they formed part of the historical preparation for Israel's entry.

tribes in the form in which we have it (Josh. i. 16–18) contains the qualification "only the Lord thy God be with thee as He was with Moses"; and a later notice shows that it was only after success that his authority was established (iv. 14). The danger of centrifugalism is curiously illuminated by the narrative of the trans-Jordanic altar (Josh. xxii. 9 ff.). The cis-Jordanic tribes feared apostasy and that their brethren were rebelling against them (ver. 19). The trans-Jordanic leaders, on the other hand, dreaded a severance of connection by the rest of Israel (ver. 24 ff.).

The settlement in Canaan reinforced the power of centrifugalism in two ways. It interposed distances and geographical barriers between the various parts of Israel, and it formed human divisions between them of the unconquered portions of the native tribes. It is only necessary to glance at a good map of the country to appreciate the first factor.[1] Joshua xxii. 24 ff. shows the fear of its effect felt by the trans-Jordanic tribes; and in reading the history it is difficult not to feel that it is often determined by the geographical conditions. It was, perhaps, not always easy for the southern tribes to lend efficient help in the north. Probably it was mainly for this reason that we hear nothing of assistance by Judah to the northern tribes in the period of the earlier Judges. And, further, we find constant reminders of the fact that most of the fortified cities were not subjugated (see Josh. xvi. 10, xvii. 12 f.; Judges i., iii. 2 f., xix. 11 f.), and that the native tribes continued to dwell in the land (e.g. Judges iii. 5 f.; 1 Kings ix. 20 f.). The interposition of a line of hostile fortresses must have reinforced the divisions created by geography.

In this connection we may pause to note the gradual silent change which took place in the conditions during

[1] For a detailed description, see Sir G. A. Smith's *Historical Geography of the Holy Land* (7th thousand, 1897), pp. 45–59. "Palestine," he concludes, "formed as it is, is emphatically a land of tribes" (p. 59). In point of fact, we find that in pre-Israelite times these conditions were mirrored in history. Genesis, Joshua, and the Amarna tablets alike show a number of petty authorities, not integrated into a single empire or close federation. This was one of the conditions of the success of the invading Israelites. It will also have tended to foster centrifugalism among themselves.

the period of the Judges and early kings through a well-known cause—the excess of the death-rate over the birth-rate in eastern towns. The effect of this is that they are continually undergoing replenishment from country blood. The Israelites met with but little success against the fortified cities at the time of the conquest, but they occupied much of the hill country. As has so frequently happened in history, the hardy and virile mountaineers necessarily waxed stronger, while the townsmen grew both absolutely and relatively weaker. Israel lived on the tablelands of life : the Canaanites dwelt in the valley of the shadow of death.

In this period we meet with nationalism and centrifugalism, the latter partly counterbalanced by foreign pressure ; and we see the religion acting in the direction of national unity. Let us look a little more closely at these factors.

Centrifugalism is so strong that we often find a city or district neglecting its duty to the general cause. " Curse ye Meroz. . . . Curse ye bitterly the inhabitants thereof ; because they came not to the help of the Lord " (Judges v. 23). In the days of Gideon, Succoth and Penuel are conspicuous examples, though they may have been cowed by the hostile menace. Jabesh-gilead is wanting in another emergency (Judges xxi. 18 ff.). Worse still, we meet with several instances of civil war. Ephraim is more intent on the maintenance of its own sense of self-importance than on the saving of Israel (viii. 1–3), and at a later period it actually involves itself in hostilities and disaster (xii. 1–6). The narrative of Judges xix.–xxi. shows Benjamin fighting all Israel in a thoroughly bad cause. This centrifugalism is only partially checked by the countervailing influences ; for it was at times of national emergency that Ephraim adopted its disloyal attitude. On the other hand, foreign domination regularly leads to a temporary coalition of various tribes for joint deliverance ; and we invariably find that it is in the name of the God of Israel that the judge performs his work. Here, then, we see these two great unifying forces at work. In the present form of the narrative, expression is given to the national sentiment in the lament of Judges xxi. 3 (cp. ver. 17), that one tribe should be lacking in Israel,

and in the summons to all Israel of xix. 29 f. As yet, however, there is little effort to establish a permanent national or intertribal executive. With the sole exception of Gideon and his house, we find no instance of any tendency in this direction. A judge was followed when the stress of events rendered this course necessary; and, as a rule, he retained sufficient prestige, as the result of his victories, to exercise some moral authority for the rest of his life. In one case, where necessity had compelled recourse to a man of no standing, who alone possessed the requisite ability, we find him bargaining for the headship as a condition of lending his services (Judges xi. 9). The exception, therefore, is worthy of some notice. Gideon's success aroused so much feeling that the offer of a hereditary monarchy was made to him, but refused (viii. 22 f.). That the refusal did not altogether put an end to the idea appears from the story of Abimelech, who actually made himself king in a small district. His failure to maintain himself, coupled with Gideon's refusal, shows that opinion was not yet ripe for any such step as the institution of a monarchy. It was only more thorough disaster and more numerous dangers than had yet been faced that would suffice to render this acceptable.

It is noticeable that Judges x. 7 speaks of dangers from two quarters simultaneously: "He sold them into the hand of the Philistines and into the hand of the children of Ammon." Jephthah's success dispelled the danger from Ammon for some time. The Philistine menace, however, remained.

In dealing with the period of the Philistine wars we must remember that our accounts are fragmentary, and not necessarily chronological. The historical books do not tell us that Shiloh was destroyed, yet we know from other sources (Jer. vii. 12 ff., xxvi. 6) that this actually happened. We meet with a Philistine garrison [1] in the land (1 Sam. x. 5, xiii. 3, etc.), but we do not know how it came to be there. This is in direct contradiction of the statements of 1 Samuel vii. 13 f., which must therefore be regarded with

[1] If "garrison" is the correct translation. In any case it is clear, from the context, that we have to do with some manifestation of Philistine authority.

suspicion. Again, we have different narratives combined together in a manner that is not always easy to follow. For these reasons it is impossible to trace the history of the struggle between the two races in detail, but it is not difficult to see how the main forces operated.

The opening chapters of 1 Samuel give us a glimpse of the working of the Mosaic law of pilgrimage. We find periodical visits paid to Shiloh, where was the house of the Lord with the Ark attended by the priests (1 Sam. i. 3, 21; ii. 14, 19). Unfortunately they appear to have been false to their high office, and the conduct of Eli's sons tended to neutralize the beneficial effects of the institution. Nevertheless, its influence during the age of the Judges, though of a kind that would not naturally appear in historical narratives, is shown, by the very complaints made here, to have been continuous and important.

From the Philistine wars certain salient features stand out. Israel was worsted as never before, the Ark itself going into captivity. That supreme disaster, followed probably by the destruction of Shiloh, must have produced a far more powerful effect on national opinion than any that preceded it. Then Samuel arose, and showed himself a greater spiritual and ethical force than any earlier judge. He succeeded in winning some success against the Philistines, and so far accustomed a district to some form of central government that he went on circuit and judged Israel in four places (1 Sam. vii. 16 f.). But in spite of this we find the Israelites under the Philistine heel in his old age (1 Sam. xiii. 19 ff.). And, as we have seen, there appears to have been a Philistine garrison in the land. There can be no doubt whatever that for some time considerable portions of Israelite territory were under some form of Philistine rule. There is no ground for thinking that this people interfered with the local autonomy of their Hebrew vassals in most respects, but they clearly adopted all the measures that they thought necessary to preserve their military supremacy. The fact of vassalage emerges not only from the passages already cited, but also from several others (Judges x. 7, xv. 11; 1 Sam. iv. 9, xiii. 19). David held Ziklag as a vassal of Achish (1 Sam. xxvii. 6). We read of a garrison of Philistines at Bethlehem (2 Sam.

xxiii. 14). It is not, however, clear how far the Philistine suzerainty extended. There is no reason to suppose that they ever gained a footing in trans-Jordania; and we do not know what parts of cis-Jordania they ruled, and how far their dominion varied at different times. If we are to place Samson before the defeat of Eli's sons, as seems probable, Judah or some portions of its territory would seem to have been subject to the Philistines at a time when Shiloh appears to have enjoyed independence; and the territorial limits of their rule probably varied with the vicissitudes of the struggle. On top of the Philistine oppression came the danger from Nahash and the Ammonites. The case against the monarchy is succinctly put in 1 Samuel xii. 11 f.: "And the Lord sent Jerubbaal, and Bedan, and Jephthah, and Samuel, and delivered you out of the land of your enemies on every side, and ye dwelled in safety. And when ye saw that Nahash the king of the children of Ammon came against you, ye said unto me, Nay, but a king shall reign over us: when the Lord your God was your king." Why should the invasion of Nahash call for a kingdom any more than earlier oppressions?

It is easy to see the answer. Having regard to the dominant position of the Philistines, the only chance of salvation lay in concentrating the whole of the national forces under one unquestioned permanent national leader. It was impossible to place Samuel in this position, because he was too old. Nor is there any evidence that he possessed organizing capacity or generalship. His sons lacked the character and ability. There was no room for another judge by the side of Samuel. The prophet's character and authority would have made that impossible, even if the national emergency had not required that the supreme power should be concentrated in one hand. Had there been no Samuel, it is possible that the appointment of a judge would have tided over the immediate emergency; but, after the prolonged trouble with the Philistines, it may be doubted if this would have been sufficient. The days were past when emergency organization was adequate to maintain the position of Israel. If the immediate dangers were due to the Philistines and the Ammonites, it must be remembered that they did not stand alone.

The people were surrounded by enemies (1 Sam. xiv. 47 f.), and nothing less than the permanent organization of the whole nation could give any hope of salvation. There was much reason in the plea "that we also may be like all the nations; and that our king may judge us, and go out before us, and fight our battles" (1 Sam. viii. 20).

Nothing could more clearly show the necessity and superiority of the monarchical organization than the fact that, from the time of its first adoption right away to the exile, no responsible person ever suggested a reversion to the earlier conditions. More than once questions arose as to whether there should be one kingdom or two, and disputes as to who should be the person to occupy the throne were frequent. But, so far as we know, an abandonment of the monarchical form of government was never contemplated; and the prophets regarded the reunion of the people under the house of David as the most desirable ideal.[1]

The national peril had given the forces of unification a signal victory over centrifugalism. It was not long before the latter began to take its vengeance. It is, however, impossible to be sure of the details. For the period of Saul's lifetime we have duplicate accounts of many matters, and these cannot always be reconciled in all respects. The natural process of deterioration to which every MS. text is subject and the editorial methods employed have tended to obscure the course of events further. Nor can we be certain that our informants always had exact knowledge. For instance, there are two accounts of the origin of the saying, "Is Saul also among the prophets?" (1 Sam. x. 10 ff., xix. 18–24). They may be treated as good evidence of the existence of such a saying, and of conduct on the part of Saul that justified it; but it is clearly impossible to say at what point in his career he was under the influence of the prophetic spirit. Great care must consequently be used in testing the narratives; and, where they appear to be open to question as they stand, we must not be afraid of confessing our ignorance.

A conspicuous example of this is afforded by the story of

[1] See H. M. Wiener, *The Prophets of Israel in History and Criticism*.

the breach between Samuel and Saul. The narrative of 1 Samuel xiii. 8–14, in its present state and position, cannot be accepted. It is so discreditable to Samuel as to be incredible. There was a great national emergency. The new king, at the head of a mere handful of badly equipped troops, had to face an overwhelming Philistine army, containing powerful chariot and cavalry forces as well as infantry. Samuel had made an appointment, but failed to keep it, and Saul's men began to desert. It was unquestionably the duty of the king, who owed the creation of his office to the necessity of utilizing the whole concentrated power of the people to secure independence, to take the necessary steps to check this movement. Accordingly he offered the appropriate sacrifices in pursuance of the law of Exodus xx. 24–26. Subsequently Samuel, who had been at fault, appeared, and quarrelled with him for his action in the matter. And Samuel, be it remembered, was the very person whose administration had failed so completely as to make the erection of the kingdom essential. There is a suggestion in the text that Saul had been told to await Samuel's coming, and was therefore to blame; but, in the circumstances *as stated in our present account*, this contention cannot be upheld. Saul was made king with the rights and duties of his office, and no instructions given by a prophet who failed to keep his appointment could discharge him from the obligation of taking the steps he saw to be required by the national interest. The Philistine menace would not await Samuel's convenience. Had a disaster occurred through any failure of Saul's to act, it would have been no answer to say that he, the king, had neglected to take the appropriate measures because he had awaited the overdue prophet, who, for all that was known to the contrary, might have been prevented from coming at all. But what could be said in extenuation of the conduct of a man who, in such an emergency, could find nothing better to do than to quarrel with the king whom he had anointed in the name of God only a few days previously? Neither his patriotism nor his inspiration would be of a nature to command respect. It is therefore not strange that in 1 Samuel xi. 14 f. we have an account of the ceremony at Gilgal

which represents it as having passed off quite smoothly.

There is another story of the breach in 1 Samuel xv. According to this, Samuel commanded Saul to extirpate Amalek, in accordance with Deuteronomy xxv. 17–19. The king and the people—note the conjunction (1 Sam. xv. 9)—spared Agag and the most valuable part of the booty. That the people had some voice in the matter is extremely probable; for we may recall their insistence on the creation of the kingdom, and their action in overruling Saul when he wished to put Jonathan to death in accordance with his vow (1 Sam. xiv. 45). At the same time, such action by the people, in defiance of the Law and the divine message given by Samuel, could alone justify the punishment. For it must be remembered that, if the issue proved fatal to Saul at Mount Gilboa, the defeat, the subsequent civil war, and Philistine oppression, and the evils of the disputed succession were borne by the whole nation. It would, therefore, be difficult to defend Samuel's action unless the people had offended jointly with Saul. No doubt the king, by taking a strong line in support of the Law, could have overruled the people. For this reason he was most to blame. But it would be unjust to Samuel to ignore the guilt of the people in the matter.

If this account is historical, Saul failed here through weakness. On other grounds, however, it is plain that his was an unhappy choice. He was not conspicuous for ability in handling men or for organizing power. Our information does not suggest that he was either a diplomat or a statesman. On the other hand, he appears to have suffered from a mental disorder that completely unfitted him for a position of responsibility. The mere fact that he was visited by prophetic ecstasy must be regarded as a serious disqualification; for this argues a temperament directly opposed to that required by a ruler. Moreover, the other notices of the evil spirit that afflicted him (1 Sam. xvi. 14 ff., xviii. 10, xix. 9) suggest that his sanity was not always above question, and his conduct towards David and the priests (1 Sam. xxii.) shows a nature of violent passions entirely unbridled by self-control. If he lost his life in a final disaster in fighting against the enemy whose oppression had led to the creation of his office, it must

be remembered that he had been the architect of his own misfortunes. Anointed king in order to save Israel by uniting all the national forces, he offended the most earnest adherents of the Law, outlawed his ablest general, who was also a popular hero, persecuted the priests, and alienated one of the most powerful tribes. It was a disaster for the cause of national unity that such a man should have been chosen as the first king.

In studying history from the point of view of the play of forces, it is only too easy to overlook or underestimate the importance of the personal equation. In the story of the making of Judah we meet with three great men who were supremely adequate to their respective tasks, and whose personalities undoubtedly moulded history—Abraham, Moses, and David. We see that the whole course of the story of mankind would have been different if any one of these three men had lacked the peculiar qualities that distinguished him. But if the force of great personalities has been a mighty factor in determining the fortunes of the race, it is almost equally true that the inadequacy of others has proved scarcely less important. The most signal instance of this that can be rigorously proved, *on our information*, in the period covered by this study, will come before us in the cases of Solomon and Rehoboam ; but we have already seen reason to suspect that the absence of a natural heir to Moses of sufficient calibre may have been a contributory cause of the failure to create a satisfactory national organization in the first instance ; and in any study of the less fortunate effects of the personal equation on history Saul's unsuitability for the kingly office must hold a high place. At the lowest, it led to prolonged sufferings and disasters for his people : at the highest it was one of the factors that led to the great disruption.

It was unfortunate that the first leader of the age came from the tribe of Judah. Samuel had been an Ephraimite. He had wisely not anointed a fellow-tribesman as king. The suggestion of vesting the supreme power permanently in a member of that strong and haughty tribe might easily have driven Judah into secession. This danger was averted for the time by the choice of a king from the

small and weak buffer tribe of Benjamin. There was a reasonable prospect that both the leading tribes could be induced to acquiesce in a solution which did not hand the power over to a strong rival; and, in fact, we hear of no trouble with Ephraim. The danger to Judah from the Philistines might well have led that tribe to remain loyal for a period that would have sufficed to consolidate the monarchy, and with it the national unity, had David been less eminent, and Saul better fitted for his rôle. The friendship of Jonathan and David might have secured for the nation the best services of the latter under the former's reign, and the history of Israel might have been brighter alike for the nation, the religion, and the world. Here, however, the personal equation proved decisive. Saul and David being what they respectively were, the course that events took was inevitable.

The old internecine tribal jealousy was reinforced by the king's blunders and misfortunes, and by the ability and success of the handsome young chieftain. "Saul hath slain his thousands and David his ten thousands" (1 Sam. xviii. 7–9). The king realized that David's life was a fatal obstacle to the establishment of his dynasty (xx. 30 f.); and at last there arose a state of affairs that was not far remote from civil war (xxii.). David, throughout, behaved with admirable restraint in his dealings with the king, and unquestionably this constitutes one of the finest traits in his character. All our information points rather to his having been forced into the position he occupied during the last period of Saul's reign than to his having been disloyal to his sovereign.

The disaster at Mount Gilboa led to a division of the monarchy. Now that the Benjaminite had failed to protect it against the Philistines, Judah anointed the leader of the sole remaining organized fighting force in cis-Jordania. It was only in trans-Jordania that Saul's son could be raised to the throne. He was taken to Mahanaim and there made king (2 Sam. ii. 8 f.). There were thus two kingdoms, and a state of civil war existed between them. On the one side was a national hero supported by a powerful and devoted tribe, aided by a general who for unscrupulous capacity far excelled anybody who could

be brought against him, and enjoying the support of many of his opponent's ostensible subjects (cp. 2 Sam. iii. 17); on the other, a nonentity who was heir to a disaster, and had no hold over his own disaffected servants except such as the mere claim of legitimacy, and dislike of the supremacy of Judah, could give. Of these only one could offer the slightest hope of national deliverance from the Philistines. After seven and a half years of the calamitous conditions produced by this situation, the only possible solution was adopted, and David became king of all Israel. Yet there are signs in the later narrative that the wound inflicted on the national unity, while scarred over, was never completely healed.

Once seated on the throne of all Israel, David reverted to the policy of Moses. He realized the ideal of a religious capital, and strengthened it by making it identical with the capital of a powerful and well-organized kingdom. The actual choice made was exceptionally happy. David captured a fortress that lay in the territory of Benjamin, Saul's tribe, but had apparently never passed into Israelite possession.[1] Historically David's capital was unencumbered by any inconvenient traditions of any former Israelite rule. As it had never been national territory, no troublesome questions could arise in connection with the expropriation of unwilling Israelite landowners, as happened with another site in the case of Naboth. What it was in Israel's affections, and what it was thereafter to become, it owed solely to David and his house. Politically it had many advantages. It was sufficiently central. By giving the tribe of Benjamin the prestige and solid advantages of having the national capital situate on its territory, it did much to conciliate the portion of the nation that would most resent the change of dynasty. And yet tribalism could have no sway in it, for it had never been incorporated in any tribal organization. If other tribes might feel jealous that the dynasty came from Judah, they could have no corresponding prejudice against the capital. The principle embodied in its choice was similar to that which often leads to the selection of a new capital in territory that is federalized when a number of existing

[1] See *Bibliotheca Sacra*, October, 1919, pp. 470 f.

states voluntarily combine in a new federal union. By its situation on the main mountain range of the country, between the two great rival tribes of Ephraim and Judah, near the highway between them, Jerusalem became to some extent a connecting link, even as it had previously been part of the hostile barrier that separated South from North. Here again we see Benjamin, in the choice of the capital, enjoying the benefit of the mediating position given to it by geography and its inherent weakness, just as a generation before this had given it the crown. The military strength of the new capital was enormous. Not merely was the site easily defensible; the city had the striking advantage of possessing a natural spring in the midst of an arid region, so that any besieging army had to fight against thirst, while the defenders were relieved of anxiety as to their water-supply. Moreover, it lies within easy reach of the head of a valley leading from the sea along which runs the modern railway from the coast. On the other hand, one disadvantage was connected with some of its most striking advantages. The native population naturally did not share in the historical and religious reminiscences and ideals of Israel, and the prophet Ezekiel declares in no uncertain language that this ultimately led to even worse religious abuses than those that prevailed in Samaria and Sodom (xvi.; esp. ver. 44 ff.).

By bringing up the Ark with due ceremonial and solemnity, David made Jerusalem the religious capital to the same extent as Shiloh had been. The policy of giving it a magnificent temple, which, while not carried into execution till the next reign, had its inception with this monarch, lent additional importance to the position of religious capital. David's conquests removed all danger from hostile enclaves or foreign oppressors, and his building and military operations necessarily imply the existence or construction of good roads (2 Sam. v. 9–12).[1] The

[1] It must not be forgotten that in that age the king was the road-making authority (see Num. xx. 17, xxi. 22, and Mesha's statement, "I made the highway by the Arnon," on the Moabite stone). The Hebrew monarchy did much to improve the means of communication. At the time of the invasion the Israelites conquered the

creation of a considerable empire, of which Jerusalem was the capital, still further raised the importance and prestige of the city. His military organization, moreover, included a bodyguard, which to a great extent insured the safety and stability of the monarchy.

David, then, gave Israel a hereditary national dynasty, a stable central government, a great religious centre, a permanent political capital, the heritage of an imperial age, and, apparently, a considerable administrative organization. We are given lists of officials holding various offices, though our information does not explain the particular duties attached to each. They are, however, sufficient to prove the broad fact, though they give us no knowledge of the details. No previous statesman since Moses had rendered any service at all comparable to his in the struggle against centrifugalism; and he seems to have come within a very little of winning the fight and making a strong national unity for all time.

But centrifugalism was scotched, not killed; and when the scandals of his private life and the unhallowed ambition of Absalom led to a seditious outbreak, the old wounds began to bleed again. The feeling in favour of the house of Saul was not extinct in Benjamin (2 Sam. xvi. 5–8). Nor does David seem to have been entirely satisfied as to the loyalty of Saul's son, for he deprived him of half of his property (xix. 25–31 (24–30)). In addition to this hostile feeling of the partisans of the fallen dynasty, the national unity was badly jarred by the emphasis laid on the feud between Judah and Israel. The narrative gives us an impression both of the rivalry between the two and of the king's personal hold on Israel, and claims through blood on Judah (xix. 9b–16 (8b–15)). The progress of the quarrel is also vividly depicted (41–44 (40–43)). It was at this point that the two currents seem to have coalesced. The feeling of Benjamin poisoned the weapon that the rivalry of Judah and Israel had forged. "We

hill country, but not plains, where chariots could manœuvre; but in the time of Solomon the roads had been so improved that one at least of his cities for chariots was Zeredah in Mount Ephraim (see also 2 Sam. xv. 1). The importance of this in the struggle for unity must not be overlooked.

have no portion in David, neither have we inheritance in the son of Jesse: every man to his tents, O Israel" (see xx. 1 f.). The rebellion was suppressed, but not before David had realized that it contained the seeds of greater trouble than Absalom's revolt (xx. 6).

Moreover, there is one other aspect of his policy that perhaps has a bearing on our subject. We have seen that the rise of Israel had been made possible by the eclipse of the great powers. David's conquests had now created, in regions over which Egypt had once exercised sovereignty, a monarchy of considerable strength. If the Nile power should ever again seek to pursue a policy of expansion, or even of aggression, in Asia, it would inevitably become hostile to the Hebrew state and would gladly embrace any chance of weakening it by internal divisions.

Solomon continued his father's centralizing policy and increased and perfected the civil and religious organization of the kingdom. For the purposes of this study certain aspects only of his policy claim attention. Substantially the keynote appears to have been magnificence. He was unwarlike, and sought to maintain peace by matrimonial alliances, the upkeep of a powerful and well-equipped force (1 Kings x. 26; 2 Chron. i. 14, ix. 25) and fortifications (1 Kings ix. 15, 17 ff.). He stimulated trade to bring in money; and the peace and wealth he obtained by these means were utilized to carry out a huge building programme, and to support an enormous royal establishment. For these ends, too, he levied immense exactions in labour [1] and in kind from his Israelite subjects as well as from the Canaanites (1 Kings ix. 21). The improved organization of which we read in 1 Kings iv. was designed for the same end. As it departed in some respects from the purely tribal division, it may have had a slight tendency to counteract tribalism; and the improvements in the means of communication, the stimulus given to pilgrimages by the splendour of the Temple and

[1] The statement of 1 Kings ix. 22, 2 Chron. viii. 9, that no forced levy was made from the Israelites conflicts with 1 Kings v. 27 ff., xii. 4, and with the fact that Jeroboam was over the levy of the house of Joseph (xi. 28).

capital, and the enforced travelling of the labour levies, with their consequent acquaintance with other districts than their own, all tended towards strengthening the national unity. But these factors were much more than outweighed by the oppressive nature of Solomon's exactions. He imposed on the people greater burdens than they could tolerate. The contributions of revenue and service which were the inevitable price of the monarchy had formed the burden of the objection raised to its institution. Whether or not we regard 1 Samuel viii. 11–18 as coloured by later experience, there can be no doubt whatever that any form of national organization and provision for safety could only be obtained by paying the cost, and that many minds would object to it on that ground. Solomon, however, went far beyond what was necessary or reasonable, and by his magnificence seems to have laden the people too heavily. This is made the ground of complaint in the next reign. The narrative of 1 Kings xi. lays stress on two other factors: first, that Solomon loved many strange women; and, secondly, that he was unfaithful. But the first of these is an objection of later times, for the law never prohibits unions with Egyptians, Moabites, Ammonites, Edomites, or Zidonians. Intermarriage with the Hittites of Canaan is prohibited by Deuteronomy vii. As we have seen,[1] the Mosaic provisions were strictly limited to what was necessary. It appears further that Jeroboam had married an Egyptian wife.[2] Nevertheless, his candidature in the next reign enjoyed some prophetic support. We may therefore take this objection to be the work of a later age. Again, while Solomon's religious infidelity may have alienated some support, it does not seem to have had much influence in causing the schism; and certainly the breaking off of the northern tribes led to permanent religious deterioration.

A more dangerous result of the policy was, however, the accumulation of great treasure in Jerusalem. We have already noted the fact that the creation of a fairly powerful state in Palestine constituted a barrier against

[1] *Supra*, p. 9.

[2] For proofs of this and other statements that are not supported by the Hebrew, see Appendix.

an Egyptian irruption into Asia. That would be a reason for Egypt to try to weaken it ; and if this could be effected, a plundering raid promised to be a lucrative undertaking. During Solomon's reign there was a change of dynasty [1]

[1] Attempts have been made to identify Shishak I with the Pharaoh who gave Solomon his daughter and captured Gezer. It is *primâ facie* improbable that Shishak, the brother-in-law of Solomon's younger contemporary, Jeroboam, should have been the father-in-law of the older king, and the chronological difficulties disprove the theory. From 1 Kings xiv. 25 we know that Shishak invaded in the 5th year of Rehoboam. In the Silsileh quarry is a stele containing an inscription from which it appears that, in the 21st year of his reign, Shishak gave instructions for the erection of the Karnak monument on which his record of the event appears. At the very outside, therefore, he cannot have been reigning contemporaneously with Solomon for more than 16 years, and the period may well have been much less. H. R. Hall (*Ancient History of the Near East*, 5th ed. [1920], p. 439) thinks it was about 12 years.

The length of Solomon's reign is unknown, for the 40 years of 1 Kings xi. 42 is not an arithmetical number. The building of the Temple began in his 4th year, the completion of that and his own palace occupied rather more than 20 years (20 years according to 1 Kings ix. 10), but the building of the Temple really occupied 7½ years (vi. 1, 37 f.), and his own house 13 years (vii. 7). The building of Millo was subsequent (ix. 24), and apparently also the other building activities with which Jeroboam is associated. Some considerable time must therefore be allowed between the completion of the house built for Pharaoh's daughter (ix. 24) and the end of the reign. She, however, had been accommodated in the city of David (iii. 1) for some previous period, while the great buildings were being completed ; and her own house cannot even have been planned before the alliance was contracted. Moreover, the building of Gezer was necessarily subsequent to this (ix. 16). We know that the first four items of the list of Solomon's buildings in ix. 15, 17, are in chronological order, and this raises the presumption that the others may be. As Shishak was a usurper, he will hardly have been in a position to attack Gezer immediately after his seizure of power. These considerations, taken together, show that the time is insufficient to allow of all the activities that must be placed between Solomon's marriage and death. The fair inference from the Hebrew narrative is that Solomon married the Egyptian princess in the earlier portion of his reign, not in the later.

Whether Shishak attacked Israel as well as Judah is uncertain. It is not so stated in 1 Kings ; but his Karnak inscription gives a list of towns and localities he is said to have plundered, and this includes a number of Israelite items. The trustworthiness of this list in this respect is upheld by some, but impugned by others.

in Egypt, and the new Pharaoh, Sheshonk I (the Biblical Shishak or Shushak), was an enterprising Libyan soldier. It will appear in the sequel that he did not fail to utilize the opportunities presented to him by the weak points in Solomon's policy and the personal factors that came into play after his death.

Our books of Kings have been much edited, and Greek translations seem to have been made of successive Hebrew editions. Side by side with a narrative of the schism that substantially agrees with our present Hebrew text, some of our Greek authorities have preserved a portion of an older translation. This gives a widely different account of the material events, and enables us to see where the truth lies. A rendering of it and a discussion of the main points of difference will be found in the Appendix. The historical results that flow from that discussion are here assumed.

The schism was the result of the conjunction of four factors: (1) the old centrifugalism, flowering in the attitude of Ephraim, Joshua's tribe, which even in the period of the Judges had considered the lead its birthright; (2) the oppressive policy of Solomon, with its unreasonable demands for forced service and excessive taxation; (3) the personal equation, a half-foreign boy in his teens being pitted against the ripe maturity of the ablest Israelite of his age, who, while of the lowest birth, was yet the son of an Ephraimite mother; and (4) the support of Egypt cunningly given to a blow directed against the weakest point in the national armour.

Jeroboam was the son of an Ephraimite woman of loose character. By sheer force of ability he had risen to

No decisive argument can be adduced, but personally I lean towards the view of those who accept the invasion as historical, and connect the removal of Jeroboam's capital from Shechem to Penuel (1 Kings xii. 25) with the Egyptian danger. It must be remembered that the notice of 1 Kings xiv. 25 f. is a portion of the narrative that is based on the chronicles of the kings of Judah, and consequently would not naturally deal with the non-Judæan portion of a Pharaoh's campaign. On the other hand, Jeroboam's reign is treated almost entirely from the point of view of religion. Hence the silence of Kings appears to be no argument for questioning the reality of the invasion.

a high post under Solomon. He had been in charge of the Ephraimite *corvée*, and had fortified Zeredah in Mount Ephraim and also executed other important works for the king. He had abused his position to aim at the kingdom. Solomon therefore sought to slay him; but Jeroboam escaped to Egypt, where Shishak received him into favour, and gave him an Egyptian princess of pre-eminent rank to wife. On Solomon's death he returned. While we are not expressly informed that Shishak gave him material assistance, that seems to follow necessarily from the facts. The husband of an important Egyptian princess would doubtless go provided with sufficient means to enable him to accomplish his purpose. He threw himself into Zeredah, gathered his own tribe of Ephraim, and constructed a fortification. Subsequently he summoned the other tribes to Shechem, whither Rehoboam, a boy of sixteen, also repaired. The people made representations to the king as to the intolerable nature of the burdens imposed by Solomon, and promised their allegiance conditionally on his giving them relief. The elders of the people advised acceptance, but the king's playmates suggested an insolent answer that accorded better with his childish disposition. That provoked the old retort of Sheba: "We have *no* share in David, neither have we inheritance in the son of Jesse; to thy tents, O Israel, for this man is not fit for a ruler or a leader." Judah and Benjamin alone remained true to the dynasty. "Is fecit cui profuit"—the leader of the rebellion became king of the ten tribes, the Pharaoh who had aided him gained rich plunder some four years later by invading the southern and probably also the northern kingdom, and his country was permanently relieved of the danger of a powerful state near its Asiatic frontier.

Was the schism inevitable, or could it have been prevented? The theory of 1 Kings xii. 15 that it was a thing brought about by God is not sustained by the earlier text, and our judgment must be formed on an estimate of the historical factors at work. There are four reasons for holding that with a little more wisdom the calamity could have been prevented: (1) While the centrifugal force was always very strong, a wise policy had succeeded in so con-

ciliating Benjamin that, though it had lost the kingship, and had at one time been far from loyal (2 Sam. xx., etc.), it remained faithful to the house of David at this supreme hour. It is true that the same steps could not have been taken in dealing with Ephraim ; but had the king had an Ephraimite consort, and had his mother come from some powerful family of that tribe, instead of being a granddaughter of Nahash, the feeling of the Ephraimites might well have been different. (2) At the time of the schism the bulk of the Israelites hardly seem to have desired it. They were driven to it by the policy of Solomon and the immaturity of his successor. There is no reason to suppose that their promise to serve Rehoboam if he would lighten their burden was not made in good faith ; and the elders, who were in the best position to judge, advised acceptance. (3) According to xii. 24y (LXX)=xii. 23, Rehoboam retained a remnant of the people in addition to the two tribes. This points to the existence of a loyal element in Israel outside these tribes, even after the crowning blunder. (4) Jeroboam's apprehensions (1 Kings xii. 26) as to a return to the house of David witness to the strength of the national feeling.

Centrifugalism was the old enemy ; and it was inevitable that, sooner or later, a large tribe like Ephraim should throw up a leader who would be incomparably abler than the contemporary head of the Davidic dynasty. That such a man should aspire to the throne was not unnatural, but it was by no means inevitable that there should be a conjuncture of all the other circumstances. No such serious consequences would have ensued had the foreign pressure been as strong as it usually was, and had it followed the customary channel. Whether Shishak would have undertaken his campaign if the kingdom had remained undivided we cannot now say ; and accordingly not too much can be built on the probability that if the schism had been averted for a few years the Egyptian danger would have prevented it. But in the north Aram was a rising power, and a collision with Israel was inevitable sooner or later. Once the Syrian wars had begun, the northern tribes would have had the strongest reason for maintaining the union, while every year would have tight-

ened the bonds of national and religious unity. At the worst there would have been a change of dynasty.

It was perhaps inevitable in those days that a king succeeding to the throne at sixteen should be free of all control. This is a matter in which experience has taught wisdom, and few modern communities would so order their constitutions as to leave their fate in the hands of a headstrong boy. And in the absence of modern constitutional devices it was not easy to give Ephraim a sufficient share in the government to avoid all danger of friction. But the matrimonial policy of Solomon was directed to the satisfaction of every power except his own subjects, and the pressure of his levies and taxes far exceeded what would have been imposed by a wise and patriotic statesmanship. Judged even by contemporary standards, it would seem that the errors of Solomon's policy must be held largely responsible for the untoward issue of the long conflict and the final though partial triumph of centrifugalism.

APPENDIX

In the following discussion, M stands for the Massoretic (or Received) Hebrew text; S, for the LXX. Immediately after 1 Kings xii. 24 in M, B and some other authorities of S have a long passage that does not occur in M in its present form. It comes from a Greek translation of an earlier edition of Kings. The rendering below follows the text of B (except where otherwise stated) and the numbering of the Cambridge editions. Where M has a similar statement, the reference is added in brackets: in a number of cases square brackets [ ] denote that the corresponding passage in M contains something material that is not found in S: passages found in S only are in parentheses ( ): substantial differences in statements of fact are italicized. No notice is taken of some small variations of reading that are not material from the historical point of view. But this system is not carried through with absolute uniformity, owing to the difficulty in some passages where the rewriting makes it impracticable.

In regard to the names, the familiar forms of the English Bible are substituted. S presents varieties due to three

causes: (*a*) differences of transliteration; (*b*) differences in the pronunciation of the unpunctuated Hebrew consonantal text; and (*c*) differences in the consonantal reading. Of these classes, (*c*) alone represents true textual differences. Thus the name of a place is Zeredah in EV, but Sareira in S. Allowing for (a) and (b), the only case of (*c*) is the difference between ר and ר. Similarly the variation in the name of Jeroboam's mother is at bottom the difference between ע and צ. Even if we were able to prove which of these forms are right, it would not help us in judging the comparative historical value of S and M; for, obviously, an account that was superior in substance might have suffered corruption in small matters of this kind. But in point of fact we have no means of ascertaining the correct forms. In these circumstances the easiest plan appears to be to adhere to the forms with which the reader is familiar, and not to distract his attention from the important historical questions involved by introducing these minute points of discrepancy.

24a And (king) Solomon slept with his fathers, and was buried (with his fathers) in the city of David [ ]: and Rehoboam his son reigned in his stead (in Jerusalem) [xi. 43]. He was *sixteen* years old when he began to reign, and he reigned *twelve* years in Jerusalem [ ]: and his mother's name was Maamah (daughter of Hanun, son of Nahash, king of) *Ammon* (xiv. 21]; (and he did that which was evil before the Lord, and walked not in the way of David his father).

24b *And there was a man from Mount* Ephraim a servant of Solomon, *and his name was* Jeroboam [ ], and his mother's name was Zeruah, a *harlot* [xi. 26a], and Solomon made him tally-master [perhaps=M's "gave him charge"] over [ ] the levies [EV "labour"] of the house of Joseph [xi. 28b]. (And Solomon built [or "he built for Solomon," which is clearly the reading of other S texts,] Zeredah which is in Mount Ephraim, and he had three hundred chariots of horses;) *he* [οὗτος emphatic] built Millo (with the levies of the house of Ephraim); (*he* [οὗτος emphatic]) inclosed [ ] the city of David [ ] [xi. 27b], and *he was exalting himself over the kingdom* [xi. 26b].

24c Solomon sought therefore to kill him: but *he took fright* and fled [ ] unto Shishak, king of Egypt, and was *with him* until the death of Solomon [xi. 40].

24d And Jeroboam [ ] heard in Egypt [xii. 2a] (that Solomon was dead, and he spake in the ears of Shishak king of Egypt, saying), Let me depart, that I may go to mine own country [xi. 21b]; (And Shishak said to him, Ask what thou wilt, and I will give it to thee).

24e (Now Shishak had given to Jeroboam Ano [1] the sister of Tahpenes [S here, and in xi. 20f., " Thekemeina "], the elder of his wife to him to wife [1]; she was the great one [2] among the daughters of the king, and she bare to Jeroboam Abijah his son) [contrast xi. 20].

24f (And Jeroboam said to Shishak, Let me depart in any wise that I may go. And Jeroboam went out from Egypt, and came to Zeredah [3] which is in Mount Ephraim; and all the tribe of Ephraim gathered together there; and Jeroboam built there a rampart).

24g And [ ] his *child* fell sick [xiv. 1] (with a very grievous sickness; And Jeroboam went to inquire about the child); and he said to (Ano) his wife Arise, (go) [ ]; (inquire of God concerning the child, whether he shall recover from his sickness) [xiv. 2a].

24h (Now there was a man in) Shiloh (and his name was) Ahijah (, and he was sixty years old, and the word of the Lord was with him) [ ] [xiv. 2b]. (And Jeroboam said to his wife, Rise) and take with thee (for the man of God) [ ] loaves, and cracknels (for his children and a bunch of grapes), and a cruse of honey [ ] [xiv. 3].

24i And the woman arose [ ] (and took [4] with her loaves, and two cracknels, and a bunch of grapes, and a cruse of honey for Ahijah.[4]) *Now the man was old, and his eyes were dim so that he could not see* [xiv. 4a].

24k (And she rose up from Zeredah, and went; and it came to pass as she entered the city to Ahijah the Shilonite that Ahijah said to his servant, Go out, I pray thee, to meet Ano the wife of Jeroboam, and thou shalt say unto her, Come in and tarry not, for thus saith the Lord, Evil do I send on thee.)

24l (And Ano went in to the man of God, and Ahijah said to her, Why hast thou brought me loaves, and a bunch of grapes, and cracknels, and a cruse of honey? Thus saith the Lord, Behold thou shalt depart from me, and it shall be that as thou enterest the gate into Zeredah, thy maidens shall come out to meet thee, and shall say to thee, The child is dead.) [Contrast xiv. 12.]

[1] I have preserved the confused order of the original, and the doublets " to Jeroboam . . . to him," which show that the text had been glossed.

[2] Perhaps a translation of some title; *v.l.* ἦν μεγάλη, " was great," for μεγαλη.

[3] B The land of ΓΗΝ for ΤΗΝ.

[4-4] HP 71 omits these words.

24m (For) thus saith the Lord [ ], Behold I will cut off from Jeroboam every man child [ ] [xiv. 7–10]; and (it shall be that) him that dieth of Jeroboam in the city shall the dogs eat, and him that dieth in the field shall the fowls of the air eat [ ] [xiv. 11]. [1] *And the child shall be mourned* [1] (Alas, Lord !) [ ] because in him there was found some good thing toward the Lord [ ] [xiv. 13].

24n And *the woman* [ ] departed (when she heard this) [ ]; (and it came to pass) as *she entered Zeredah* that the child died [xiv. 17] (and the sound of mourning came forth to meet her).

(And Jeroboam went to Shechem, which is in Mount Ephraim, and gathered together there the tribes of Israel) and Rehoboam (son of Solomon) went up thither [ ] [xii. 1].

24o *And the word of the Lord came unto Shemaiah, the Enlamite, saying, Take for thyself a new garment which has not been dipped in water, and rend it into twelve pieces; and thou shalt give to Jeroboam, and say to him, Thus saith the Lord,* Take for thyself ten [2] pieces [ ] (to clothe thyself. And Jeroboam took them; and Shemaiah said, Thus saith the Lord, Over the ten tribes of Israel [Lucian adds "thou shalt reign"]) [cp. xi. 29–39].

24p *And the people said* unto Rehoboam (son of Solomon), Thy father made our yoke grievous (and made grievous the food for his table): now therefore make (it) [ ] lighter (upon us), and we will serve thee [xii. 3 f.]. And (Rehoboam) said to *the people* [ ], Yet three days [ ] (and I will return you answer) [ ] [xii. 5].

24q *And Rehoboam said, Bring in to me the elders* [ ] *that I may take counsel with them what answer I shall return to the people* (on the third day. And Rehoboam spake in their ears according as the people's message to him was). *And the elders of the people said,* [3] *Thus hath the people spoken unto thee* [3] [cp. xii. 6 f.].

24r But Rehoboam forsook *their* counsel [ ], (and it was not pleasing in his sight); and *he sent* and brought [ ] them that were grown up with him [ ], and said to them, [4] *Thus and thus was the people's message to me.* And [ ] they that were grown up with him said [ ], Thus shalt thou speak to the people (saying), My little finger is thicker than my father's

[1] Or "and the children shall mourn." [2] B, "twelve."

[3] There are several variants, but it is useless to attempt to restore the exact text till the materials of the larger Cambridge LXX are available.

[4] B, τὰ αὐτά, "the same things," for ταῦτα.

loins : [ ] my father chastised you with whips, but I will *rule* [1] you with scorpions [cp. xii. 8–11].

24s (And the thing was pleasing in the sight of Rehoboam), and he answered the people [ ] as they (that were grown up with him,) the boys, counselled him [ ] [cp. xii. 12–15].

24t *And all the people spoke like one man each to his neighbour, and all shouted aloud, saying,* We have *no* portion in David, neither have we inheritance in the son of Jesse : to *thy* tents, O Israel ; (for this man is not fit for a ruler or a leader) [ ] [cp. xii. 15, 2 Sam. xx. 1].

24u (And the people dispersed from Shechem) and departed (each) to his tent [cp. xiii. 6b]. But [ ] Rehoboam *persisted and departed and* got him up to his chariot and *entered* Jerusalem [ ] ; (and the whole tribe of Judah and the whole tribe of Benjamin followed him) [cp. xii. 17–20].

24x And (it came to pass when the year set in that) [ ] Rehoboam collected all the *men* of Judah and Benjamin [ ] (and went up) to fight against *Jercboam* (to Shechem) [contrast xii. 21].

24y But the word of *the Lord* came unto Shemaiah the man of God, Speak unto Rehoboam [ ] the king of Judah, and unto all the house of Judah and Benjamin, and to the rest of the people, saying, Thus saith the Lord, Ye shall not go up nor fight against your brethren the children of Israel ; return every man to his house, for this thing is of me [xii. 23 f.].

24z So they hearkened to the word of the Lord, and *desisted from going* according to the word of the Lord [xii. 24b].

It will be seen that the above represents not a supplement to M, but an alternative to large portions of its narrative.

Of the discussions I have examined, the best are those of L. von Ranke, *Weltgeschichte* (ed. 1883), dritter Theil zweite Abtheilung, pp. 4–12 ; G. W. Wade, *Old Testament History* (6th ed., 1909) ; and A. T. Olmstead, *American Journal of Semitic Languages* (Oct. 1913, pp. 15 ff., and April, 1915, pp. 169 ff.) ; and I am indebted to these writers for a few of the points that follow. Professor Olmstead's articles in particular should be read, as he deals with the passage from a textual standpoint ; whereas, in the following observations, interest is necessarily concentrated on the historical.

1. The first discrepancy is as to Rehoboam's age on accession—16 according to S, 41 according to M. Here S is

[1] Or " strike " ; unlike M, S does not repeat " chastise."

demonstrably right. In xii. 8, 10 (cp. 14), M speaks of "the boys that were grown up with him." "Young men" is a mistranslation. The Hebrew ילדים means "boys," and could not be applied to men of 40. Again, the answer about the whips and scorpions breathes the spirit of children in their teens, and would never have been given by middle-aged men. Lastly, 2 Chronicles xiii. 7 calls him a lad. Here, therefore, M is inferior. The reason for its change is not apparent at first sight, but may possibly be discovered when fuller materials are available.

2. The length of Rehoboam's reign is variously given in different texts of S, and does not agree with M. Now M's chronology of the kingdom is not consistent. No judgment can therefore be formed on our present materials.

3. S makes Rehoboam a great-grandson of Nahash. It is easy to see how repugnant this would be to later Jewish feeling, in view of 1 Samuel xi. and 2 Samuel x. 6. That would be a reason for cancelling the notice. On the other hand, no Jewish editor would have inserted a statement so hurtful to the national pride. Politically it is entirely in keeping with the matrimonial policy of Solomon, who sought to consolidate his position by such unions. If, as both M and S agree, he made an Ammonitess his wife and the mother of his successor, the presumption is that she was of the royal blood of Ammon, and not a member of some less eminent house. Consequently S should be accepted.

4. S makes Jeroboam's mother a harlot; M, a widow. In accordance with this, there is no father in S. Jephthah, too, was the son of a harlot (Judges xi. 1). Later interpretation may possibly have understood the ממזר of Deuteronomy xxiii. 3 (2) as a person not born in wedlock (see LXX and Vulg. *ad loc.*), though this is not correct. If so, an editor who was dominated by such ideas, obviously could not believe that the man to whom a prophet promised the kingdom should be one of a class that could not come into the congregation of the Lord unto the tenth generation. But I think it unlikely that this view of Deuteronomy xxiii. prevailed in Jewish circles. In any case, however, later Judaism would take exception to the elevation of the son of a harlot. Hence the substitution of widow. Here, again, Jewish feeling would have made it impossible for anybody finding "widow" to alter it into "harlot," in view of the prophetic attitude. The reading of S is therefore original.

5. With regard to the utilization of Jeroboam and the Ephraimite levy to build Millo and inclose Jerusalem, S and M are substantially at one, for the present position of

xi. 27b would be unintelligible unless Jeroboam was employed on this work. But while M fails to make the connection plain, the narrative of S is clear and perspicuous, and deserves the preference.

6. There is a most material discrepancy as to the reason why Solomon sought to kill Jeroboam. According to S, the latter had acquired a position of considerable power in the king's service, and had fortified Zeredah and garrisoned it for the king. He was now using this and his position with his tribesmen to aim at the throne. There is nothing improbable in such a story, for there are thousands of instances in history of a powerful subordinate seeking the kingdom. M's story is very different. Jeroboam was met by a prophet Ahijah of Shiloh (who, as we know from the story of the sick child, detested his action) and promised the kingdom. The prophecy of the ten pieces is assigned to this period. Although "they two were alone in the field" (xi. 29), this is the ground for Solomon's trying to kill Jeroboam; and the prophet, who, curiously enough, does not incur the king's wrath by his action, is so far from gauging the character of the man he is inciting to treason that he promises "a sure house, as I built for David" (xi. 33), conditionally on good religious conduct. In plain English such conduct would have been high treason, and nothing else. That is the first great objection to this narrative. In a time of profound national tranquillity—so runs the story—the prophet incites a subject to conspire against the national government and unity. Surely such things are not to be believed of a prophet if there is a reasonably probable alternative account. Nor do the minor discrepancies to which attention has been drawn make it more credible. Yet such action might be possible if genuine religious necessities called for it. But it could only be regarded as the work of a true prophet if it in fact resulted in religious improvements of sufficient magnitude to justify it. Assuming that all the facts were as stated in M, what were the religious fruits of the prophetic action? The seer had done all in his power to destroy the nation. Did he save the religion? Did he hand over the north to one who rescued the true faith, and imprinted on his people a religious character which would enable it to withstand the buffets of the world? On the contrary, history has justified the bitter epithet which rings through the narrative books—Jeroboam the son of Nebat who made Israel to sin! The south which the prophet attacked succeeded in ultimately purifying the religion, and creating a nation that in nearly three thousand years of a history of unparalleled tragedy

and strain never proved wholly false to its God. The king he instituted wrecked the purity of the people's religion for good and all, and began the long chain of impiety that ultimately led to a sad and unhonoured end, not merely for the nation but also for the faith. The royal house he rejected gave its people the benefit of a stable and untroubled succession: the monarch he set up proved to be but the first of a series of conspirators who could dethrone their masters, but invaribly failed to give the country a settled dynasty. From the point of view of national strength the act was a crime and was so regarded by Hosea.[1] He bequeathed to the Hebrews a civil war, and delivered a weakened Judah, and probably also Israel, to the tender mercies of the Egyptian invader, while leaving both kingdoms too powerless to play any great rôle in the world or to give their peoples the security that the united monarchy could have afforded. And, as we have seen, the treason was not relieved by any religious benefit resulting from the elevation of Jeroboam, who, on the contrary, made Israel to sin.

These considerations appear to be conclusive against M's form of the narrative. With regard to the difference in the name of the prophet, see 11 *infra*. In S, on the other hand, not merely are the minor discrepancies entirely wanting, but the prophet (Shemaiah) is not the author of the trouble, and his intervention does not take place till the popular discontent and the progress of the rebellion had advanced so far that a schism could have been prevented only by concessions on the part of the king which anybody who knew his character could see to be out of the question. Now is there any suggestion of an expectation of religious benefit. S is here to be preferred.

7. S shows internal signs of glossing in 24e, which will not read, as well as in many other passages. Tahpenes was apparently an earlier queen. According to xi. 19 f., Hadad of Edom had married her sister before the death of David. For the chronological reasons given (p. 35 *supra*, note), it is impossible that the same person should still have been the Egyptian queen and the wife of a totally different Pharaoh. We must either hold that Tahpenes has been erroneously introduced into the text of 1 Kings xi. 19 f., or else that S has here been glossed from the earlier passage. The latter view is supported by the incoherence of the text. There is, of course, no improbability in supposing that in two different

[1] See H. M. Wiener, *The Prophets of Israel in History and Criticism*, pp. 21 f.

generations Egyptian policy favoured matrimonial alliances with claimants to Palestinian thrones.

8. With regard to the statement of S that Jeroboam married an Egyptian princess, like Solomon, we must remember that, according to the true meaning of the Law, which was still comprehended, there was no objection to this. It was only from the time of Ezra that the Mosaic provisions were misinterpreted. Now it will be seen that an editor who blamed Solomon for his foreign marriages (xi. 1 ff.) could not possibly tolerate a narrative which elevated the husband of an Egyptian princess to a throne with the approval or at the instance of a prophet, just as he could not tolerate his birth out of wedlock. But, politically, it is very probable that Shishak did make a matrimonial alliance with Jeroboam, gave him the necessary funds for his attempt, and subsequently recouped himself with interest at the expense of the two wealthy and disunited kingdoms left at his mercy by the schism. Nor is there any ground for suspecting the name given by S to Jeroboam's wife, though, for the reason given, the editor of M would necessarily delete the name of the Egyptian princess. Here, again, it is possible to derive M from the original of S, but not to perform the converse process.

9. According to S, Jeroboam returns after Solomon's death and starts a secession of his own tribe, fortifying himself in his own city. After an interval he is strong enough to go to Shechem and gather the other tribes there. Rehoboam comes to the assembly after the people's discontent has been thoroughly organized under Jeroboam's leadership. That gives a reason for the gathering at Shechem. According to M, this was held to make Rehoboam king (xii. 1). He was, of course, king already, but presumably the idea intended is that of a formal inauguration ceremony. There is no precedent for the choice of this town for the purpose. Further, M gives no intelligible account of Jeroboam's return. The statements of xi. 2, 3a, cannot stand : for (*a*) this passage is wanting in the LXX, which inserts a similar notice of his return (but to his city Zeredah in Mount Ephraim) in the middle of xi. 43, and then repeats the statement that king Solomon slept with his fathers ; (*b*) the narrative hesitates between attributing Jeroboam's return to his receipt of the news or to a message from the people ; (*c*) his presence in ver. 3 is incompatible with xi. 20 ; (*d*) as we have seen that the prophecy of the ten pieces cannot stand where M places it, the present narrative leaves no room or occasion for it. In this matter, therefore, M appears inferior to S.

This story passed through several stages. We may note, in passing, that the Greek xi. 43 still recognizes a return to Zeredah, and xii. 20 harmonizes with this. See further Olmstead's articles.

10. There are several points about the prophecy of the sick child. B omits xiv. 1–20, and we have to decide the true date of the incident and the better form of the narrative. The following points stand out in M: (*a*) Jeroboam's wife disguises herself, but this is hardly of a piece with the fact that Ahijah was blind (xiv. 4), a trait that is common to both texts. It looks as if an editor finding the story in an earlier form, and removing it to a period when Jeroboam's wife was a queen, had overlooked this point, and consequently made her disguise herself to hide her rank. (*b*) The expression "I am sent to thee" (xiv. 6) is not in keeping with the situation. It is the woman who has come to him. (*c*) "Thou has done evil above all that were before thee" (xiv. 9) is not appropriate to Jeroboam. (*d*) The difference between the Zeredah of S and the Tirzah of M (xiv. 17) is merely due to the different location of the passage and gives no clue to the original position. (*e*) The elaboration of Ahijah's prophecy tells against M, the simpler form of S being clearly the more original. (*f*) It is objected that 24m foretells the punishment before Jeroboam has committed the sin. That is a mistake based on the theory of M, which regards his religious offences as his worst sin. That is the view of later Judaism; but to the inhabitants of Judah in his own age, and for long after, by far his worst offence must have been the successful schism. So long as Judah retained national independence, the fall to a small power, the civil war, Shishak's invasion and spoliation, and the other evils that resulted from the schism must have created far more bitterness against Jeroboam and his memory than any of his religious actions. And early writer would assign weight to these—especially when contrasted with the national position under David and Solomon—rather than to any ritual irregularities. If S be read with a mind cleared of M's presuppositions, there is no improbability whatever in this language being used by an early historian in dealing with the period in which Jeroboam was actively and successfully engaged in the rebellion that culminated in his elevation to the throne. On the other hand, it is impossible to suggest any reason why an editor finding this incident where it is placed by M, should transfer it to its position in S.

11. S attributes the prophecy of the pieces of Shemaiah, not Ahijah. This harmonizes with the former's rôle in both

texts (xi. 22 f. and 24y). M seems to have changed the name for dramatic effect (see 1 Kings xiv. 2).

12. The dialogue with the people presents several minor touches. (*a*) 24p, "And made grievous the food for his table," is supported by v. 7–27. (*b*) The elders of the people are the advisers in S; the elders that had stood before Solomon, in M. It has been argued that S is here the better; and, on the whole, perhaps the elders of the people, who played an important part on great occasions (2 Sam. v. 1–3, 1 Kings viii. 1), deserve the preference. But the argument is not very cogent. Rehoboam may well have had in his suite both ministers of experience and friends of his own age. (*c*) S recognizes that the people spoke to Jeroboam through representatives. This is more original than the conception of the people speaking. (*d*) In the celebrated reply S is greatly superior through the forcible change of verb—"My father [merely] chastised you [when you needed it and that only] with whips, but I will [normally and regularly] rule you [whatever your conduct] with scorpions." That seems to be the implication. (*e*) "We have no portion" agrees with the earlier passage (2 Sam. xx. 1). (*f*) "For this man is not fit for a ruler or a leader" (24t) looks original enough, though it might easily have been omitted in days when the editors laid no emphasis on anything but religious merits or demerits.

13. M's notice of the killing of Adoniram (xi. 18a) is wanting in S, but is intrinsically probable and supported by v. 13 ff. This officer would be particularly unpopular as the instrument of the odious policy. The notice comes in awkwardly after Israel's departure (xii. 16), even if 17 be regarded as a gloss. Apparently it comes from a different source from that rendered by S, which forms the staple of M, and consequently has no bearing on our problem.

14. (*a*) The dating "at the setting in of the year" in 24x is an original constituent of the narrative, for that was the campaigning season for which Rehoboam had, perforce, to wait (cp. 2 Sam. xi. 1). (*b*) The 180,000 chosen men of xii. 21 is, of course, an impossible number and should be omitted. (*c*) Shemaiah's prophecy is inconsistent with the view that the Judæans had already gone up to Shechem (24x), which, however, is shown by M to be due to glosses in the text of S.

15. M is inconsistent, for Rehoboam sometimes retains one tribe (xi. 13, 32, 36; xii. 17, 20b), at others two (xii. 21, 23). S only knows the retention of two, and is self-consistent. The kingdom was known as Judah from the

preponderant tribe, and later editors seem to have thought that it included nothing else.[1] That the view which makes two tribes follow Rehoboam is the earlier follows from the symbolical action of the prophet who retains two of the twelve pieces—representing Judah and Benjamin.

The results of this survey of the main points of historical interest can easily be summarized. The view that one text represents the northern and the other the southern kingdom does not fit the facts. That S is not specially in sympathy with the north may be seen from 4 *supra* and 24m, nor with the south from 3 *supra* and 12d and the prominence given to Jeroboam in building Millo, etc. Historically M is full of self-contradictions and impossible statements, from which S is free. S represents a far earlier text, on the whole, though it too has suffered in transmission and has been heavily glossed, as may be seen from the very first verse, where, e.g., "with his fathers" is impossible, or from the tautology of 24g–i, or other instances, some of which have been discussed. M, on the other hand, shows a good deal of the midrashic tendency—the system of making historical narrative the vehicle of impressing religious truths. The chronological sequence of events is subordinated to the homiletic interest; facts that were unwelcome to the religious views of a later age are softened or suppressed, and political and national interests are everywhere overlooked; while the prophetic share in events is constantly magnified and conformed to a strictly literal interpretation of the words of Amos, "Surely the Lord God will do nothing, but he revealeth his secret unto his servants the prophets" (iii. 7). With the immense importance of these considerations for the textual and higher criticism of the historical books we are not now concerned, but it is submitted that they abundantly justify the historical reconstruction adopted in this study.

[1] Cp. *Bibliotheca Sacra*, October, 1919, p. 470.

The Law of Change in the Bible

THERE is no more trite observation than that all things change, yet it is generally supposed that the Bible contains an immutable unchanging system. The purpose of this essay is to make some attempt to examine this view. Is it, indeed, the case that Law and Prophets present us with a conception of life that makes no allowance for growth and variation? If so, how could solutions have been found for the new problems of life that time invariably brings? That there was change in *thought* (as contrasted with law) may be seen from many passages. A single instance must here suffice. In 1 Chronicles xxi. 1 that is attributed to the Satan which in the parallel passage is held to be due to the Lord (2 Sam. xxiv. 1). The difference in the theological outlook is immediately apparent, but this is not a matter for regulation by law. Accordingly it does not fall within the scope of the present essay. Nor, again, is it proposed to investigate additions to existing law, except in so far as these may appear to have a bearing on the subject of institutional change. It is common knowledge that, e.g., certain minor feasts and fasts were adopted by Judaism long after the time of Moses, but these and most other additions have no important relation to our present subject. What we desire to examine is not how additional laws were made to deal with new subject-matter, but whether existing law could be repealed or altered, and, if so, by whom and within what limits. For this purpose we may exclude changes in the law made by changes in interpretation. It is almost certain that in different ages different views were taken of the interpretation to be placed on existing laws; but while change may be and often is effected through the

work of the authorized interpreters of laws, they are theoretically limited to the task of explaining laws already in being, and ostensibly have no power to alter or repeal them.

Historically the problem that we have to study begins with the work of the Mosaic age. Moses introduced many innovations; but what was his attitude to change when once he had laid down a binding rule! Did he regard this as unchangeable either for his own age or for the future? And what attitude did he take up with respect to the problems that would inevitably arise after his death? Did he conceive or claim that—at any rate, so far as the topics with which he dealt were concerned—what he had given was immutable law, all-sufficient for all time, save in so far as it might require interpretation and elucidation? Could any practical lawgiver and judge conceivably hold any such view? These seem to be the questions that suggest the lines along which the first section of our inquiry must proceed.

It is a commonplace of commentators that in the Pentateuch the order is not chronological. For our present purpose this imports grave difficulty, for we cannot always be sure of the exact original order; but the language employed, and the facts and provisions, are sometimes such as to make it clear that the lawgiver is developing or modifying rules that he had previously enacted. The decided cases furnish one division of the evidence. Sometimes they enact new law to meet a fresh point, but sometimes they develop or modify some existing rule. In Leviticus xxiv. 10 we read how one of the mixed multitude, the son of Shelomith, of the tribe of Dan, and an Egyptian father, blasphemed. That raised at least two questions. Blasphemy was of course known to be wrong, but no penalty had yet been provided for it. The point therefore arose what the punishment was to be. And the nationality of the offender involved the determination of a matter of wider interest and importance. Ancient societies generally treated law as personal, not local. A foreigner coming to early Rome, for example, would in many matters be subject not to the law applicable to Roman citizens, but to special law. So too in many of the former provinces

of the Roman Empire after their conquest by barbarians. And we are all familiar with the fact that in many Eastern countries to-day Americans and Europeans are subject in many respects to their own personal law, and not to the Oriental rules. This, then, was the great difficulty that called for determination in the case of Shelomith's son, who, following his father, was not an Israelite; and it was decided that in this matter there should be one rule, applicable alike to the stranger and to the native. Nor did the judgment stop there. It went farther, and provided that this principle of a common law should apply to the chief heads of civil and criminal liability. From the point of view of legal history this was a leading case in the most emphatic sense of the term, because it not merely settled the law of blasphemy (which we find applied, or rather misapplied, in the later case of Naboth), but also decided, once for all, that Israel was not to have a dual system of law like Rome and so many other communities. In this connection, however, we are less concerned with this aspect of the matter. Our present interest lies in the fact that it shows Moses enacting new law to meet new problems. Here, however, it cannot be suggested that he was altering. He was merely adding to the rules that had already been adopted.

The next instance is on a slightly different footing. A Passover law had been enacted. There were certain men who were ritually unclean. According to a well-known basic principle of sacrifice, this disqualified them from offering an oblation. The difficulty led to the enactment of a supplemental law, providing that in a proper case the Passover was to be observed one month later (Num. ix. 6–14). For our present purpose, it is rather a stronger case than that of Shelomith's son, because it introduced a modification into an existing law.

The third example is that of the man who gathered sticks on the Sabbath day, and is of the least interest from our present point of view, as the only question was what the penalty should be (Num. xv. 32–6). As in the case of Shelomith's son, we have to deal with nothing more than an addition to law that was well settled, and the problem that arose was far less important and far-reaching.

The last instance is in some ways the most interesting of all. The daughters of Zelophehad made a claim to have allotted to them a possession in the conquered land, in view of the fact that their father had died without male issue. This led to the enactment of a wholly new law of inheritance (Num. xxvii. 1–11). The decision, however, gave rise to great dissatisfaction, and a deputation appeared to urge objections. Thereupon the law was modified by the addition of an entirely new provision, preventing heiresses from marrying into other tribes (Num. xxxvi.).

Taking these cases together, we find, then, that in the Mosaic age there existed a supreme court or courts which, in all matters that could come up for decision by judicial or ritual authority, exercised the prerogative of making new law. If there is no instance in which existing law is actually repealed, the cases do, at any rate, go so far as to modify rules previously laid down to a very considerable extent.

We must next investigate the constitution of this court or courts and the provision for their continuation after the lawgiver's death. In the first of these matters we are met by the difficulty to which allusion has already been made, the uncertainty as to the original order of the narrative. This is important with regard to two of the passages that fall for consideration—Exodus xviii. and Exodus xxxiii. 7–11. It is generally allowed that the first-named refers not to a period *before* the arrival at Horeb, but rather to the close of the stay there, and this is confirmed by Deuteronomy i. 9 ff. Exodus xxxiii. 7–11, on the other hand, seems to relate to an earlier time, and the present writer has repeatedly argued that it should immediately follow Exodus xiii.[1] In that case the relative order of the judicial passages would be Exodus xxxiii. 7–11, xxiv. 14, xviii. Originally Moses tried all cases by himself. For the period of his absence at Sinai, a provisional arrangement was made by which Aaron and Hur were to transact the business. On his return the old practice was revived until Jethro intervened. It was then provided that judges should be instituted for all ordinary matters, and that cases of exceptional difficulty should be referred to Moses.

[1] For a full discussion, see *Bibliotheca Sacra*, October, 1914, pp. 596 ff.

This is operative in Leviticus xxiv. 10 ff. In Numbers ix. 6, which is a purely ritual matter, we find Aaron associated with Moses. Then there came a time when Moses found the burden too heavy (Numbers xi. 14). It is not expressly said that the arrangement then made dealt with judicial work, but the probable reason is that it was intended to apply to the whole sphere of government (Num. xi. 16 f.). "The burden of the people" there mentioned includes the judicial portion of that burden. The subsequent narrative shows that the institution was duly called into existence, and that God's spirit rested on the elders even as it did on Moses himself (vers. 24–29). Consequently, in the later cases, "Aaron and all the congregation" (Num. xv. 33) and Eleazer the priest, and the princes and all the congregation (xxvii. 2) are associated with Moses, and the deputation comes to "Moses and the princes the heads of the fathers' houses." Thus we see that in the ritual matter the high priest is present; in other matters, the leaders of the people. In the later portion of his administration, Moses trained others besides himself to act as members of the supreme court.

Deuteronomy xvii. 8–13 makes provision for the perpetuation of this institution.[1] On the establishment of the kingdom the monarch automatically became the supreme judicial authority (cp. 2 Sam. xv. 1–5, etc.).

[1] "If there arise a matter too hard for thee in judgment, between blood and blood, between plea and plea, and between stroke and stroke, being matters of controversy within thy gates: then shalt thou arise, and get thee up unto the place which the Lord thy God shall choose; and thou shalt come unto the priests the Levites, and unto the judge that shall be in those days: and thou shalt inquire; and they shall shew thee the sentence of judgment: and thou shalt do according to the tenor of the sentence, which they shall shew thee from that place which the Lord shall choose; and thou shalt observe to do according to all that they shall teach thee: according to the tenor of the law which they shall teach thee, and according to the judgment which they shall tell thee, thou shalt do: thou shalt not turn aside from the sentence which they shall shew thee, to the right hand, nor to the left. And the man that doeth presumptuously, in not hearkening unto the priest that standeth to minister there before the Lord thy God, or unto the judge, even that man shall die: and thou shalt put away the evil from Israel. And all the people shall hear, and fear, and do no more presumptuously."

Moses, however, had to deal with changing circumstances otherwise than by purely judicial action. In his legislative capacity he often found it necessary to introduce modifications into his own laws and institutions. It is natural to begin by considering the greatest cause of alteration—the difference between the conditions of wandering and settled life. A large part of the legislation was from the first intended for conditions after the conquest, and accordingly it was naturally adapted to them ; but there were other institutions and rules which, as originally conceived, were applicable simply and solely to the desert period. An outstanding instance is provided by all the regulations for the transport of the ark and the tent of meeting. It is seldom realized how greatly the legislation of the nomadic period is influenced by this. Here we find a tribe set apart largely for the performance of functions which could not fail to cease entirely, once a settlement had been effected in the land. However necessary and sufficient this portion of their duties may have been during the wilderness period, it would of necessity come to an end with the conquest. And what were the Levites to do then ? How were they to occupy their leisure ?

In this case and others there can be no doubt that alterations were made by Moses himself. Some of the laws required a priestly *personnel* scattered all over the country, such as the descendants of Aaron could not have provided for generations after the conquest. As an example of these, the leprosy laws may be mentioned. It is quite clear that the legislator met this difficulty by giving the Levites all the duties of the sons of Aaron, except only those within the veil and concerning the altar (Num. xviii. 7). This was not the only instance of change due to the settlement ; but in some cases the reasons are to-day too uncertain, on account of the washing out of the historical background, to make their discussion profitable in an essay of this character.

If the settlement in Canaan was necessarily a reason for changes in the law, it is no less true that the wanderings in the desert operated in the same direction. At an early period it had been enacted that laymen could kill burnt offerings and peace offerings, sheep and cattle, at

an altar of earth or unhewn stone (Exod. xx. 24–6). It was found by experience that, in practice, offerings were made to the satyrs; and accordingly it was provided that the law of Exodus should be suspended for the desert period (Lev. xvii. 1–7). This is a very strong instance, for it shows that Moses did not hesitate to suspend his own laws when he found them working badly.

We have also clear indications that after the rebellion of Korah a change of some sort was made in the law, apparently as the result of the discontent of the people (Num. xviii. 22). It is not now very easy to trace, but the words would seem to admit of no doubt, for what else could the expression "no more" indicate? It may well be that there have been other changes which are now obscured by the order of the text, but these are sufficient for our purpose.

Another passage should perhaps be mentioned in connection with our subject. In Leviticus x. 16–20 we read how a ritual law of Moses was deliberately and, as the sequel shows, rightly disobeyed by the priests when the circumstances warranted it. The death of his two sons justified Aaron and their surviving brothers in burning a sin offering, which, according to the letter of the law, it was their duty to eat. Clearly this is a precedent introducing a change into the ritual law. It was not effected by a decision on a question submitted to a tribunal, nor by direct legislation; but the action of the priest, sanctioned as it was by the subsequent approval of the lawgiver, had the effect of enacting a necessary alteration. Here, then, we have another example of change.

There are a number of laws that are expressly stated to be statutes possessing whatever measure of permanence is indicated by the word עולם. Now this expression, standing by itself as an indication of time, and not employed as part of a more elaborate phrase, has several meanings. It denotes an indefinite future. Sometimes it expresses perpetuity, as where it is applied to God, but in other passages it merely implies permanence; as, for example, where it is used of a slave (Exod. xxi. 6, etc.). It is therefore necessary to weigh it carefully when applied to laws, to ascertain the exact force that should be given to it.

Does it denote that the rule to which it applies is unchangeable, or merely that it is permanent, as contrasted with transitory provisions intended for a single occasion or a special period? A careful examination of its occurrences in the legal passages shows that it has the latter meaning. This may be seen clearly in the case of the very first of the laws to which it is applied—the command for the passover in Egypt (Exod. xii). The passage is devoted to two purposes, the arrangements for the one historic occasion and the institution of the permanent commemorative festival. Verses 14–20 are clearly earmarked as permanent provisions by the use of the expressions עולם and "throughout your generations"; and if the matter stood there, we should not be able to decide between the two interpretations that appear possible. But in verse 24 we get the phrase again, and this time it is used in connection with something that was altered before the first commemorative celebration took place.[1] Now a few weeks later at Sinai we find it enacted that on this and two other occasions "all thy males shall appear before the Lord." This, of course, is incompatible with the observance of the Passover at home in the manner prescribed by the "ordinance for ever," which had just been quoted. If we turn to the account of the very first commemoration of the Passover, we find that the repeal of the statute for ever has

[1] "Then Moses called for all the elders of Israel, and said unto them, Draw out, and take you lambs according to your families, and kill the passover. And ye shall take a bunch of hyssop, and dip it in the blood that is in the bason, and strike the lintel and the two side posts with the blood that is in the bason; and none of you shall go out of the door of his house until the morning. For the Lord will pass through to smite the Egyptians; and when he seeth the blood upon the lintel, and on the two side posts, the Lord will pass over the door, and will not suffer the destroyer to come unto your houses to smite you. And ye shall observe this thing for an ordinance to thee and to thy sons for ever. And it shall come to pass, when ye be come to the land which the Lord will give you, according as he hath promised, that ye shall keep this service. And it shall come to pass, when your children shall say unto you, What mean ye by this service? that ye shall say, It is the sacrifice of the Lord's passover, who passed over the houses of the children of Israel in Egypt, when he smote the Egyptians, and delivered our houses. And the people bowed the head and worshipped" (Exod. xii. 21–27).

already become operative (Num. ix. 6–14). The technical language used (offer an oblation) applies only to sacrifice at the religious capital, not to a service in the home. Deuteronomy xvi. 1–7 reinforces this. So far from contemplating a service at home, and a prohibition to go out of the door of the house until morning, it expressly forbids such celebration and does not permit a return home until the morning. This is a brilliant illustration alike of the meaning of עולם in legislation of this character and of the operation of the law of change and the weight assigned in the Mosaic system to alterations in the circumstances. With the erection of a House of God it became desirable to transfer to it certain religious observances, and accordingly a change is immediately made in an ordinance "for ever." And, as we shall see, this example does not stand alone.

On inspection of the passages in which this phrase is applied, it appears that the meaning "permanent" statute, due, etc., fits them perfectly. It is generally clear at the first glance that the context contains matter which makes it desirable to indicate that the particular law in question is not limited to the immediate application that might otherwise have been given to it. Thus, interspersed with the instructions for the erection of the tabernacle and the consecration of Aaron, we find the phrase applied to the perpetual lamp, the wearing of breeches by the priests, their washing, and the permanence of the institution of the priesthood (see Exod. xxvii. 21, xxviii. 43, xxix. 9, xxx. 21, xl. 15). Again, it is constantly used of the priestly dues (Lev. vii. 34, 36; x. 15; Num. xviii. 8, 11, 19). In Leviticus iii. 17 it is employed to show that the consumption of blood and certain kinds of fat is prohibited not merely for the desert period or in the case of sacrifices brought to the religious centre, but generally of all eating of flesh. Indeed, it is very frequently employed where there is reference to the desert or the tabernacle to denote that the particular laws in which it is used are to remain in operation after the entry into Canaan (see Lev. xvi. 29, 31, 34; Num. x. 8, etc.). In Leviticus xxiii. 14 there is a slightly different case, which, however, merely illustrates the same principle. There the phrase is used in a law which, otherwise, would

be capable of bearing the interpretation that the provisions it contains were to be put into operation only in the first year after the entry into the land.

A similar remark appears to apply to the use of the expression עולם in connection with the destruction of cities. There are prophetical passages that threaten permanent overthrow, and there are others that promise the rebuilding of such places (contrast Isa. xxv. 2 and Ezek. xxxv. 9 with Isa. lviii. 12, lxi. 4). The explanation is that in all such cases the word conveys the meaning of permanent rather than of everlasting.

But perhaps the strongest instance of the power to change is afforded by the case of the priesthood, where, as we shall see, kings and prophets undoubtedly held that they had the right and the duty, in proper circumstances, to repeal laws to which this phrase is applied. As we shall have to deal with them at length hereafter, it is unnecessary to do more than just refer to them at this stage.

It was no part of the Mosaic scheme that the power to make such changes should come to an end with the lawgiver's death. On the contrary, he expressly provides for change by a prophet in terms of the most emphatic character possible :

"The Lord thy God will raise up unto thee a prophet from the midst of thee, of thy brethren, like unto me ; unto him ye shall hearken ; according to all that thou desiredst of the Lord thy God in Horeb in the day of the assembly, saying, Let me not hear again the voice of the Lord my God, neither let me see this great fire any more, that I die not. And the Lord said unto me, They have well said that which they have spoken. I will raise them up a prophet from among their brethren, like unto thee ; and I will put my words in his mouth, and he shall speak unto them all that I shall command him. And it shall come to pass, that whosoever will not hearken unto my words which he shall speak in my name, I will require it of him. But the prophet, which shall speak a word presumptuously in my name, which I have not commanded him to speak, or that shall speak in the name of other gods, that same prophet shall die" (Deut. xviii. 15–20).

It will be observed that the power here given is the widest imaginable. The prophet is a substitute for a direct speech of God Himself. His position and power are in no way second to those of the lawgiver. And only

two limitations are placed on him. He must not speak in the name of other gods, and he must be true to his office in saying only that which God has commanded. But subject to these qualifications, which merely mean that he is a true messenger of God, he has power to sweep away every law of the Pentateuch as completely as Moses himself could have done (with the exception of the Decalogue and a few other verses to be noted hereafter).

Absolute as this power is, it must be observed that in reality it merely amounts to this. God can do whatsoever He will, and may elect to do so through the instrumentality of a prophet. In one sense it is a self-evident proposition. Yet, when it is contrasted with the idea of rigidity so frequently associated with the Mosaic legislation, it is quite startling. Probably we shall best understand what was in the lawgiver's mind if we first consider some other passages, and then seek to interpret his meaning with the assistance of all the light that his acts and words can throw upon it.

Passages like Deuteronomy iv. 2 and xiii. 1 next claim attention. They, too, are emphatic enough, but if wrenched from their context they are liable to misunderstanding:

"And now, O Israel, hearken unto the statutes and unto the judgments, which I teach you, for to do them; that ye may live, and go in and possess the land which the Lord, the God of your fathers, giveth you. Ye shall not add unto the word which I command you, neither shall ye diminish from it, that ye may keep the commandments of the Lord your God which I command you. Your eyes have seen what the Lord did because of Baal-peor: for all the men that followed Baal-peor, the Lord thy God hath destroyed them from the midst of thee. But ye that did cleave unto the Lord your God are alive every one of you this day" (Deut. iv. 1–4).

Here Moses is obviously thinking primarily of the immediate future. The passage is directed against acts of apostasy that might prove fatal to the success of the conquest. A similar remark applies to xiii. 1 (xii. 32), the position of which is significant. It is placed between a prohibition of adopting the abominable worship of the heathen (xii. 29–31 and the law forbidding apostasy as the result of the signs given by false prophets or dreamers of dreams (xiii. 2 ff. (1 ff.)). In reality, then, these admonitions do not bar the way to all change. But they do most

emphatically bar the way to any change in the direction of the worship of other gods or the importation of the barbarous or immoral rites connected with the worship of such gods. Here, we may clearly take it, is law that not even a prophet could alter; but when we scrutinize the terms of Deuteronomy 15–22 we find the same thought again. Nay, more. This passage is the direct continuation of some verses that develop this idea in detail (vers. 9–14). No importation of the worship of any other god or of abominable practices from such worship can be sanctioned. "Thou shalt be perfect with the Lord thy God," and no deviation of any sort from the Mosaic law in that respect can be authorized by any prophet, whatsoever his credentials.

It is partly by contrasting this attitude with the examples of change that we have already noted that we may arrive at some clearer notion of the line of demarcation. The deputation that waits on Moses to point out that the working of his law of inheritance would be inequitable according to the ideas of that age, meets with a sympathetic reception, and secures a suitable modification of the law; but had a similar deputation appeared to urge that the practice of child burning or the worship of half a dozen other gods should be adopted into the religion, their reception would assuredly have been very different. In the one case the fundamentals of religion were not touched: in the other, they would have been severely menaced. Here the distinction appears with the utmost clearness. Now let us carry the argument a step farther. Deuteronomy xx. 9 contains a curiously archaic provision as to the appointment of captains of hosts at the head of the people when battle is imminent (cp. Exod. xvii. 9, Num. xxxi. 6). It does not appear that this provision was ever carried into execution in post-Mosaic times. Joshua, for example, is never depicted in the book that bears his name as owing his leadership in battle to any such action, nor is it at all likely that the kings would ever have acted on such a law. On the contrary, such information as we have, suggests a regular military organization. We need only recall the positions held by Joab and Abner, and such passages as 2 Kings i. 9, and especially 1 Sam. viii. 11, 12. Now it cannot be seriously suggested the law had not by

this time fallen into desuetude, if, indeed, it had ever been anything but a dead letter. Yet it does not seem possible to hold that the virtual abolition of this law could be regarded as not falling within the powers of change bequeathed by Moses to the responsible leaders of the people. A law that contemplates such changes in the national organization as the erection of a strong executive (Deut. xvii. 14 ff.), which, as we know, was realized in the establishment of the monarchy, necessarily permits all such further changes as are inseparable from the effective creation and maintenance of the central power. It cannot be held that if Moses could have returned to his people and advised as to the true construction of his provisions at the date of the institution of the monarchy, he would have differed from the view taken by Samuel. Here, then, we have an instance of the actual repeal of a Mosaic law and the substitution of another, which, while doubtless in harmony with the lawgiver's ultimate desire, is in distinct contradiction of the letter of his enactment. The instance is the more weighty and significant because the innovation was reluctantly made by one who was himself not merely a great prophet, but also a pillar of conservatism and a strong opponent of the institution of the kingdom. He, if anybody, would have resisted the conferring of the power of appointing captains on the king and have maintained the obsolete provision of Deuteronomy, had that been the true intent of the law; and the fact that we find him deliberately and very reluctantly enacting the conferment of this power on the king, and writing a law of the kingdom that contemplated such an innovation, is the strongest proof of the power to repeal and alter certain portions of the law. It is an admirable example of the working of the power given to the prophet by Deuteronomy xviii. From another point of view the episode is instructive. When the power is exercised, it is due to an overwhelming expression of the popular will. This is not an example of prophetic initiative. On the contrary, we see the people displaying a keen insight into the needs of the age and putting pressure on the prophet, who finally uses his powers to give effect to their declared will.

When we compare this historical example with the wording of the laws we have already considered, it seems impossible to deny that the power of change contemplated by Moses extended over the whole of the secular field, and was to the full as wide as he could himself have exercised. We have seen that it most emphatically did not extend to anything in the nature of apostasy or to the Decalogue; but how of the rest of the religious sphere?

I confess that the result of my investigations in this matter has come as a surprise even to myself. It appears that enormous changes were introduced, generally by royal authority. Yet this is the very part of the field where the activity of prophet or priest might have been expected to overshadow that of the king. The whole initiative in the matter of building the temple come from the king. Indeed, except for the consultation with Nathan in 2 Samuel vii. we find no prophet or priest taking any part in it. That, however, may be explicable on the ground that the erection was really a matter of state, depending on suitable political, economic, and fiscal conditions. But it is more remarkable that the organization of the service of music is attributed by the Chronicler to the royal authority. That might surely have been expected to fall within the jurisdiction of some purely religious functionary. The king, too, arranges comparatively small matters of worship. Thus Ahaz had a new altar constructed on the model of one he had seen in Damascus, and gave detailed directions as to the use to be made of this and the old altar (2 Kings xvi. 10 ff.). Still it may perhaps be said that as the existence of the temple was due to the royal exertions, it was reasonable that the kings should exercise a measure of control over its services. There are, however, far more cogent instances of the exercise of legislative authority in religious matters. Solomon made a change in the family exercising the high priesthood (1 Kings ii. 26 f.); and while the narrator refers, in this connection, to the activity of an earlier prophet, it is clear that the king's action was due to Abiathar's treason. In any case we find here a distinct repeal of a Mosaic statute, and the language used makes it quite clear that this was recognized and regarded as legal and proper. "I said indeed that

thy house and the house of thy father should walk before me for ever ; but now the Lord saith, Be it far from me " (1 Sam. ii. 30). Whatever divergence of opinion be possible as to the respective parts played in the change by king and prophet, this much is beyond contradiction. The sacred historians make it plain that a lawful and proper change in the devolution of the high priesthood was effected in the teeth of an earlier Mosaic law, and that one which was expressed to have been made " for ever " or—as I should prefer to render the phrase—" permanently." A further change—one of several—was effected in the Northern Kingdom by Jeroboam when he made priests from among the people which were not of the sons of Levi (1 Kings xii. 31). It is true that this and other innovations of Jeroboam are mentioned with condemnation by the author of Kings. But the point is that the legislative authority was in fact exercised, and that nobody questioned the royal jurisdiction in the matter, though the gravest exception was taken to the use to which it was put. Similar remarks apply to the other innovations of this king. Now when this and other religious changes of monarchs in Judah and Israel that are condemned are compared with the institutions attributed by the Chronicler to David with approval, it seems impossible to avoid the conclusion that the king was regarded as having, by virtue of his office, great legislative authority, even in matters of religion.

The strongest possible instance of the royal power over religious legislation is, however, provided by the attitude of the prophet Ezekiel towards one of the worst abuses. We have seen how emphatically Deuteronomy prohibits the practice of passing children through the fire. The custom, nevertheless, found its way into the popular religion of the two kingdoms, and we have a good deal of information about it :

" But he walked in the way of the kings of Israel, yea, and made his son to pass through the fire, according to the abominations of the heathen, whom the Lord cast out from before the children of Israel " (2 Kings xvi. 3).

" And they caused their sons and their daughters to pass through the fire, and used divination and enchantments, and sold themselves to do that which was evil in the sight of the Lord, to provoke him to anger " (2 Kings xvii. 17).

"And he made his son to pass through the fire, and practised augury, and used enchantments, and dealt with them that had familiar spirits, and with wizards: he wrought much evil in the sight of the Lord, to provoke him to anger. . . . But they hearkened not: and Manasseh seduced them to do that which is evil more than did the nations, whom the Lord destroyed before the children of Israel. And the Lord spake by his servants the prophets, saying, Because Manasseh king of Judah hath done these abominations, and hath done wickedly above all that the Amorites did which were before him, and hath made Judah also to sin with his idols: therefore thus saith the Lord, the God of Israel, Behold, I bring such evil upon Jerusalem and Judah, that whosoever heareth of it, both his ears shall tingle. And I will stretch over Jerusalem the line of Samaria, and the plummet of the house of Ahab: and I will wipe Jerusalem as a man wipeth a dish, wiping it and turning it upside down. And I will cast off the remnant of mine inheritance, and deliver them into the hand of their enemies; and they shall become a prey and a spoil to all their enemies; because they have done that which is evil in my sight, and have provoked me to anger, since the day their fathers came forth out of Egypt, even unto this day" (2 Kings xxi. 6, 9–15).

"And he defiled Topheth, which is in the valley of the children of Hinnom, that no man might make his son or his daughter to pass through the fire to Molech" (2 Kings xxiii. 10).

"They did not destroy the peoples,
As the Lord commanded them;
But mingled themselves with the nations,
And learned their works:
And they served their idols;
Which became a snare unto them:
Yea, they sacrificed their sons and
their daughters unto demons,
And shed innocent blood, even the blood
of their sons and of their daughters,
Whom they sacrificed unto the idols
of Canaan;
And the land was polluted with blood.
Thus were they defiled with their works,
And went a whoring in their doings.
Therefore was the wrath of the Lord
kindled against his people,
And he abhorred his inheritance" (Ps. cvi. 34–40).

"For this city hath been to me a provocation of mine anger and of my fury from the day that they built it even unto this day; that I should remove it from before my face: because of all the evil of the children of Israel and of the children of Judah, which they have done to provoke me to anger, they, their kings, their princes, their priests, and their prophets, and the men of Judah, and the inhabitants of Jerusalem. And they have turned unto me the back, and not the face: and though I taught them, rising up early and

teaching them, yet they have not hearkened to receive instruction. But they set their abominations in the house which is called by my name, to defile it. And they built the high places of Baal, which are in the valley of the son of Hinnom, to cause their sons and their daughters to pass through the fire unto Molech; which I commanded them not, neither came it into my mind, that they should do this abomination; to cause Judah to sin" (Jer. xxxii. 31–5).

These passages give us a fairly clear idea of what happened. The evils that Moses had foreseen came to pass. First, the Northern Kingdom adopted this abuse. Later it found its way into the Southern. It had royal authority, but was contrary to well-known religious law. "I commanded them not, neither came it into my mind that they should do this abomination."

And yet the prophet Ezekiel in referring to this matter, attributes the law to God Himself—

"Moreover also I gave them statutes that were not good, and judgments wherein they should not live; and I polluted them in their own gifts, in that they caused to pass through the fire all that openeth the womb, that I might make them desolate, to the end that they might know that I am the Lord" (xx. 25 f.)—

though later in the same chapter he condemns the action of the Israelites in this matter with the greatest emphasis (ver. 30 f.; cp. xvi. 20 f.). He uses this extraordinary phrase "*I* gave them statutes that were not good"—"I"—although these were the actions of Ahaz, and to a greater extent of Manasseh, introducing these abuses in the teeth of all former law and practice. Could there be a more extreme assertion of the prophet's view of the Divine authority of the king in matters of religious legislation? This attitude may perhaps be illustrated by a contrast with the state of affairs at a much earlier date. In 1 Samuel ii. 12–17 we read of an abuse which was incomparably more venial than Manasseh's. Eli's worthless sons claimed a priestly due before the fat had been burnt, and insisted that it should consist of meat which had not been boiled. Apparently this practice was not allowed to pass without remonstrance (ver. 16), and incurred grave censure in contemporary public opinion. The contrast between these two passages inevitably suggests various reflections. There is no suggestion that God was in any way responsible for

the wickedness of the priests—no, "I gave them statutes that were not good." The priests were obviously regarded as devoid of legislative authority. They were there to apply the existing law, and had no power to modify it in any way. And the impression left by the passage is that there was considerably more individual liberty of thought in religious matters than under the developed monarchy.

The attitude of the prophet towards Manasseh's sins is really most instructive from several points of view. Ezekiel clearly knew as well as anybody both that there existed a wide power to change the religious law, and that there were some recognizable limitations on the way in which that power should be exercised. We shall see more of his conception of the power when we come to consider his own changes. What is particularly striking here is that he does not yet realize the distinction between constitutional and other laws with which much of modern political thought and practice has made us familiar. In some countries, such as England to-day, there exists no difference in the power of the legislature over these two branches. The Crown in Parliament could at any moment sweep away the whole fabric of English law on any and every topic, and substitute an entirely different edifice. But in many countries, e.g. the United States, a distinction exists between ordinary laws and constitutional laws, that are regarded as being of such fundamental importance as to be removed from the process of ordinary legislation, and to be subject to change only after some special procedure has been observed, and sometimes not at all. Any attempt by the ordinary legislature to alter constitutional laws in any but specially appointed fashion would bring into play the checks appointed by the constitution for preventing such action. Now, in ancient Israel no such difference of machinery existed. There was nothing that could be regarded as legally *ultra vires* of the king; or, rather, there was no method of testing or disallowing acts that might be, in modern parlance, unconstitutional. In the Mosaic legislation the distinction itself in fact exists, as I have endeavoured to show, but no machinery is provided for enforcing it. In America, for example, if the legislature passes an unconstitutional law, the Supreme

Court will hold it to be bad in any proceedings that may arise under it. But in Israel and Judah the king seems to have been himself the supreme and ultimate court, and there was no tribunal in either kingdom that could inquire into the legality of his actions. Hence the way in which Ezekiel in one breath ascribes these statutes to God and in the next fulminates in the severest terms against the conduct of those who acted on them. And the passage has yet another lesson for us. It shows that the individual was not regarded as being in the reign of Manasseh under a duty to disobey the king at the bidding of conscience. That might perhaps be expected of a prophet, but not of an ordinary non-prophetic subject of the king. That is a point of view to the disappearance of which in the future the prophets look forward. Before leaving this passage it is well to remark once more how completely it assumes the existence of the power of change. The description "statutes that were not good, and judgments wherein they should not live" necessarily carries with it the idea that an unquestionable power exists to abolish them and substitute statutes that are good, and judgments wherein men can and should live. And *that* description with *that* power is applied to what "I"—God—on the ordinary and normal theory of legislation held in the prophet's day, was regarded as having given. Could a more cogent proof of the power of change be conceived?

It is in this connection that we may most conveniently consider Ezekiel xl.–xlviii. This passage was necessarily regarded as an insoluble crux so long as the place accorded by Moses to the principle of change was not understood; but in reality it presents little difficulty when once the basic principles of his legislation are firmly grasped. Since the wilderness period, considerable alterations had taken place in the circumstances of the sacrificial worship, and had given rise to innovations of various kinds. Some of these, such as the musical services, were of recognized excellence and called for no reform. Accordingly the prophet lays down no new rules regarding them. But in a number of matters circumstances had changed very materially since the Mosaic age. Here new regulations were essential if the objects contemplated by the spirit

of the legislation were to be attained. One of the most interesting examples is provided by the effect of increased wealth and refinement on the rules for individual sacrifices. Leviticus i. ff. contemplates slaughter of the sacrificial victim by the worshipper who offers it. That is a practice that could be carried into effect only when the animals offered were few in number, and the state of society was such that its leaders did not object to performing duties of this kind. It was inevitable that, as luxury increased, this should become both distasteful and impracticable. Early in the history of the monarchy we find Solomon presenting sacrifices of such magnitude as to exclude the possibility of his killing the animals himself, even if he had found the task congenial. Accordingly we are not surprised to learn, from references in the prophets, that a custom grew up of delegating this work to "Aliens uncircumcised in heart and uncircumcised in flesh" (Ezek. xliv. 6–16). Ezekiel naturally entertained the strongest objections to this practice. For him every person and object connected with the house of God was in a position that demanded absolute holiness, and it was a sort of a profanation to entrust ritual duties, even of a subordinate type, to heathen slaves. Accordingly he takes measures to remedy this, and the instance is very instructive as showing yet another deliberate and lawful modification of a Mosaic statute. In the wilderness the Levites had been entrusted with special duties in connection with the transport of the Tabernacle, but these had ceased with the settlement, and henceforth they had been simply the priestly tribe, standing on an equality, for most if not all purposes, with the sons of Aaron. Unless the Chronicler's genealogies be accepted as strictly historical—and it must be remembered that he himself twice professes to be quoting midrash—the transfer of the high priesthood from Eli's house was a transfer from the line of Aaron to another Levitical family. Jeroboam, as we have noticed, made priests of non-Levitical Israelites; and this is urged against him in Kings (1 Kings xii.). Now Ezekiel proposes a further change in the opposite direction. Far from raising non-Levites to priestly rank, he provides that those Levitical families which had proved faithless in the past

should be deprived of the privileges they had hitherto enjoyed, and be utilized for the performance of the duties that had been allowed to fall into heathen hands. At the same time he practically re-enacts for the Zadokites the Mosaic provisions for the sons of Aaron with a few modifications, which appear to be due to the teachings of experience and to Ezekiel's general intensification of the principle of holiness. A more interesting provision than the minor changes is perhaps to be found in xliv. 24, where the prophet appears to assign to the priests judicial functions. His meaning is not quite clear. It may be that he only intends to convey that priests are to be members of the supreme court of Deuteronomy xvii. If that is the case, it involves no change from the Mosaic enactment. But if he means to assign to the priests the exercise of judicial functions generally, then he is undoubtedly changing both the provisions of the Mosaic law and the practice under the monarchy (1 Kings xxi.).

Several of the other provisions of the vision are due to the erection of the kingdom and the resulting changes in circumstances. Thus the prophet enacts rules relating to the royal sacrifices with which we meet in 2 Kings xvi. 15. From the nature of the case, Moses had not dealt with these matters nor with any ritual obligations of the king. A similar remark applies to the royal land law of xlvi. 16 ff. These and many of the prophet's ritual additions are to be regarded as simply additions due to the new circumstances of the age. They do not imply actual change. But his proposals for a new division of the land on the restoration stand on a different footing. While we may question whether his ideas were in all cases such as to accord with the necessities of the physical conditions of the country, there can be no doubt at all that Ezekiel conceived that the old law was not binding, on a return from the exile, in such a way as to preclude a complete rearrangement in accordance with his conception of holiness. For him all these Mosaic laws were just so much machinery which could be altered in a suitable case, and by competent authority, in order to carry out the real design more effectually. He, if anybody, was in sympathy with the Mosaic command, "Ye shall be perfect with the

Lord"; but he did not in any way interpret this as blocking the path to any change that was consistent with this supreme principle. In this he was entirely at one both with the practice and the precept of the law-giver.

Fresh legislation was introduced by Ezra and Nehemiah, and it is interesting to observe the reasons and the methods. In their case it is probable that nothing was further from their thoughts than to introduce any substantial modification into the Law as they understood it. It is not to this age that we must look for any repeal of a Mosaic statute. But, nevertheless, the force of circumstances is stronger than the desires or views of men; and, as a result of the changed conditions, the leaders found that even to give effect to the Mosaic provisions fresh legislation was necessary. Leviticus vi. 5 (12) contemplates the burning of wood on the altar. There is, however, no provision as to how the wood was to be obtained. In the pre-exilic period this gave rise to no difficulty, for Joshua had made the Gibeonites hewers of wood for the purpose (Josh. ix. 27). Now, however, this resource was not available. The national offerings are enjoined by the law, but nothing is said as to the way in which the animals and vegetable products of which they consisted were to be obtained. We do not know how they were provided in the earlier periods. Possibly the cattle of the priests and the share of the booty given to the sanctuary after victorious campaigns were drawn upon to support the services of Shiloh. Or voluntary contributions may have been sufficient for the purpose. We have already considered the views of Ezekiel on the subject. To provide for this difficulty a tax of a third of a shekel was introduced. In the Mosaic period the ransom received from the census was allotted to this (Exod. xxx. 16), and it is probable that the redemption money of the first-born was intended to provide the necessary revenue. In any case, that had doubtless long since been diverted to the personal use of the priests. To these were added the general obligation to keep the whole law, and specific obligations to observe the most burdensome portion of it, including the new interpretation which forbade all inter-

marriage with the people of the land. Moses, it will be remembered, had only prohibited unions with certain specified races while countenancing other intermarriages (Num. xxxi. 18; Deut. xxi. 10 ff.). These various provisions were now embodied in a covenant which was duly executed by the responsible leaders of the people (Neh. x.). While it is true that its provisions were in the main ancillary, and designed only to carry out indubitable Mosaic provisions, there can be no doubt that in effect new law was introduced. Stress must, however, once more be laid on the fact that here we are already in a period when the Law was regarded as virtually unchangeable by the process of direct legislation. That of course does not mean that it was altogether unchangeable, for it is a truism of legal history that an unchangeable code compels its administrators to resort to legal fictions and subtleties of interpretation to meet the changing needs of society. But no such direct power of overt alteration as had been contemplated and exercised by Moses and the kings and the prophets is now regarded as being within the scope of the community. Why did this change take place? The reason is so clear that he who runs may read. The power of change had been so thoroughly abused by the monarchs who had been guilty of apostasy and abominable practices, that the prophets had thundered against disobedience to the Divine statutes as the cause of the national misfortunes. Their language was perfectly accurate for those who interpreted it correctly; but, with the withering of prophecy and the construction placed on certain dicta of Moses and the prophets, it came about that an essential part of the Mosaic legislation—the power to change—fell into desuetude. Unconstitutional changes had been the cause of disaster. Hence the pendulum swung the other way, and all direct change was excluded in an age that could not distinguish between fundamental and non-fundamental laws, and could only guard against improper change by abandoning the power to make any change at all. And so ultimately the lack of the necessary constitutional machinery to enforce a distinction between fundamental and other laws operated once more to defeat the lawgiver's intention. Under the kingdom it had the

effect of opening the door to the most abominable and unconstitutional practices. Now, on the other hand, it produced an inability to repeal or alter any law whatever by direct methods, however desirable or beneficial or requisite such change might be. Both phases alike appear to be contrary to what we have seen to be the true meaning of the law.

A time came when formal prophecy ceased. The office of prophet in the old sense was to exist no longer :

> " And it shall come to pass in that day, saith the Lord of hosts, that I will cut off the names of the idols out of the land, and they shall no more be remembered : and also I will cause the prophets and the unclean spirit to pass out of the land. And it shall come to pass that, when any shall yet prophesy, then his father and his mother that begat him shall say unto him, Thou shalt not live ; for thou speakest lies in the name of the Lord : and his father and his mother that begat him shall thrust him through when he prophesieth. And it shall come to pass in that day, that the prophets shall be ashamed every one of his vision, when he prophesieth ; neither shall they wear a hairy mantle to deceive : but he shall say, I am no prophet, I am a tiller of the ground ; for I have been made a bondman from my youth. And one shall say unto him, What are these wounds between thine arms ? Then he shall answer, Those with which I was wounded in the house of my friends " (Zech. xiii. 2–6).

That is the doom of the formal institution. Nobody would be a professional prophet, wearing the garb of the office and belonging to a well-recognized calling. Is that, then, the end of development and of lawful change ? Does the passage mean that, in the view of the prophet, no further alteration can take place, or that the Divine spirit had ceased to perform the functions in Israel that ruled the people's development ? There are other passages in the prophetical writings which enable us to answer these questions in the negative. In the thought of the prophets, as fully as in that of Moses, change and the outpouring of God's spirit are as necessary as ever. But the form is to alter. " Would God that all the Lord's people were prophets, that the Lord would put his spirit upon them " (Num. xi. 29). That is the prayer of the lawgiver, and the thought that it contains was never lost. In one of the sublimest of all the Biblical prophecies we meet the promise of the continuance of the spirit. The passage is so clear

that it is extraordinary that there should be commentators who cannot understand it :

" And a redeemer shall come unto Zion, and unto them that turn from transgression in Jacob, saith the Lord. And as for me, this is my covenant with them, saith the Lord : my spirit that is upon thee, and my words which I have put in thy mouth, shall not depart out of thy mouth, nor out of the mouth of thy seed, nor out of the mouth of thy seed's seed, saith the Lord, from henceforth and for ever " (Isa. lix. 20 f.).

The expression " my spirit that is upon thee " only means what it says. The prophetic spirit under the influence of which these words were composed, is to rest on them that turn from transgression in Jacob. That, of course, may not mean either continuously or on every individual. But at the very least it means a continuance from time to time of the communion of the spirit of God (at any rate with individuals representing the class indicated), which shall be comparable with its communion with the prophet. It is in no wise in conflict with the passage from Zechariah that we have just considered. That refers to the professional institution, the husk ; this to the spiritual experience, the kernel. To Isaiah, as to Moses, the spirit of the Lord in this passage meant the full spiritual endowment of the prophet, whether or not the external trappings like the hairy mantle were present. And the thought of this passage recurs in a somewhat different form in other prophets :

" But this is the covenant that I will make with the house of Israel after those days, saith the Lord ; I will put my law in their inward parts, and in their heart will I write it ; and I will be their God, and they shall be my people : and they shall teach no more every man his neighbour, and every man his brother, saying, Know the Lord : for they shall all know me, from the least of them unto the greatest of them, saith the Lord : for I will forgive their iniquity, and their sin will I remember no more " (Jer. xxxi. 33–4).

That passage, with its promise of a new covenant, is strongly suggestive of change. But in its contemplation all the people will know the Lord, and it must be doubted whether Jeremiah does not conceive the people under the new dispensation as receiving the prophetic spirit. This passage, however, standing by itself, would be susceptible

of a different explanation, and cannot therefore be regarded as decisive if separated from the other prophecies.

A very important oracle for our present purpose is Joel iii. 1–5 (ii. 28–32):

"And it shall come to pass afterward, that I will pour out my spirit upon all flesh; and your sons and your daughters shall prophesy, your old men shall dream dreams, your young men shall see visions: and also upon the servants and upon the handmaids in those days will I pour out my spirit. And I will shew wonders in the heavens and in the earth, blood, and fire, and pillars of smoke. The sun shall be turned into darkness, and the moon into blood, before the great and terrible day of the Lord come. And it shall come to pass, that whosoever shall call on the name of the Lord shall be delivered: for in mount Zion and in Jerusalem there shall be those that escape, as the Lord hath said, and among the remnant those whom the Lord doth call."

Here there can be no doubt whatever as to the prophet's meaning. The prophetic spirit will rest on the whole people. It is noticeable that here, as elsewhere, the promise is limited to the restored people, and does not embrace the Diaspora. Just as the Mosaic law contemplated alteration only through the duly constituted organs of the people established in its own territory, so the prophets contemplate the bestowal of the prophetic spirit only on the re-established nation.

Now it would undoubtedly be a misreading of these passages to interpret them in a narrow legal sense. It cannot be argued that the prophetic spirit here contemplated applies only to legislation, to the exclusion of everything else. What is intended is the full prophetic spirit—the communion with God in its most complete and all-embracing aspect. No faculty possessed by a prophet will be withheld from the restored Israel. But for that very reason the passages embrace the power of change that inhered in the prophetic office,—in regard alike to institutions and to thought. Development is not prevented or checked. On the contrary, it is facilitated by the prophetic conceptions.

The results of our inquiry may apparently be summarized somewhat as follows. So far from enacting an immutable law, which was intended to be valid in all its

details for all time, Moses carefully distinguished between that which was unalterable and that which could be, and in fact was, changed freely by himself and others as opportunity demanded. While the Decalogue is not subject to change, the only other parts of the legislation to which this applies are the laws which prohibit any form of apostasy, or the worship of other gods, and the introduction of the heathen or immoral rites or accessories, or any form of immorality into the worship of God. The expression עולם applied by itself to a law does not mean that it is not subject to alteration or repeal. It simply means that it is a permanent enactment, subject at any time to the same power of change or abrogation as ordinary legislation. In one case we have seen that one of these laws was modified by Moses himself within a few weeks of its introduction. This view of the power to change legislation lasted unimpaired for many centuries. It was exercised by prophets and kings usually without question. Unfortunately the royal power in this matter was too often abused: and the very provisions of the law that were undoubtedly intended to be immutable were attacked by the ordinances of kings who were faithless to the religion. In the autocratic constitution of those days there was no possible check on the abuse of the royal power, and the monarch's right extended so far that Ezekiel can even speak of God as having given statutes that were not good and punishing the people that observed them, when the reference is to royal enactments that were admittedly *ultra vires* of any human authority under the terms of the Law. The misfortunes of the people ultimately burnt in upon them the wickedness of their past conduct, and an entirely new tendency began to assert itself. According to this, the letter of the Law of Moses came to be regarded as unalterable for all time. This was in complete conflict alike with the provisions of the Pentateuch and the practice and intent of the lawgiver and of all the kings and prophets. In the thought of the greatest of Israel's religious guides the power of change within the limits prescribed by Moses was never abrogated or curtailed. Yet one great development there undoubtedly was. The formal office of prophet was abolished, and the promise was made that the Divine

spirit which had rested on the greatest of the religious leaders should descend on the people restored to their land,—

"As for me, this is my covenant with them, saith the Lord: my spirit that is upon thee, and my words which I have put in thy mouth, shall not depart out of thy mouth, nor out of the mouth of thy seed, nor out of the mouth of thy seed's seed, saith the Lord, from henceforth and for ever" (Isa. lix. 21).

The Biblical Doctrines of Joint, Hereditary and Individual Responsibility

THE advance of mankind in the knowledge of natural science has not been accompanied by any corresponding progress in the study of the laws that obtain in the moral domain. Psychology, indeed, has begun to apply experimental methods, and in the physical sphere heredity is attracting much attention, but in the field to which the subject of this paper relates we have got no further than the ancients. If anything, indeed, we have retrogressed, for modern writers are fonder of burying their heads in the sand than were the best thinkers of antiquity. Of recent years the problems have been discussed as part of Old Testament studies,[1] but little that is new has been brought forward. In essaying a fresh consideration of the subject I would particularly venture to express the hope that sooner rather than later medical men, scientists, philosophers, historians and workers in other fields that may throw light on the larger problems of which a corner is touched by the Biblical doctrines may take important parts in the discussion. I cannot but feel that there are certain laws or uniformities which affect

[1] See E. Sellin, "Das Subjekt der altisraelitischen Religion," in the *Neue Kirchliche Zeitschrift*, 1893, 441–479. This is an admirable article and far too little known, but it only touches our present inquiry incidentally. Sellin, *Beiträge zur israelitischen und jüdischen Religionsgeschichte*, I (1896), 144 ff.; M. Löhr, *Sozialismus und Individualismus im Alten Testament* (1906); H. Gunkel, "Individualismus und Sozialismus im AT," in *Die Religion in Geschichte und Gegenwart*, edited by F. M. Schiele and L. Zscharnack, III (1912); F. Nötscher, *Die Gerechtigkeit Gottes bei den vorexilischen Propheten* (1915), 59 ff. I desire to acknowledge my general indebtedness to these writers.

our lives and the whole of the world, occasional glimpses of which may be obtained from a consideration of the Biblical material. Those glimpses could and should be amplified from other fields of study until the true solutions of the great cosmic problems, at any rate in so far as they may be capable of apprehension by the human mind, may be revealed. In this great work I hope that men of all denominations and also of no denomination may participate. The great desideratum is the determination to follow the truth whithersoever it may lead, and if once that be attained we need have no fear of the ultimate consequences to religion. In this field especially we must look steadily at the problem of *what in fact happens* and not content ourselves with merely thinking of what we should like the facts to be. Only so can we hope to make any progress, but it is possible that if we keep this in view we shall ultimately attain to more acceptable results than would at first sight appear likely.

In our investigation we are called upon to deal with two separate fields, human justice and divine action. In human affairs the principle may obtain as it does in the ordinary courts of law of a modern civilized state, that an individual should be held responsible only for his own acts. On the other hand, it may be that punishment is inflicted on some other person or persons either in addition to the actual criminal or in his stead, and we shall find some instances of this. Similarly, it may be that God visits an offence on the offender only, or that He visits it on one or more innocent persons as well as or instead of on him. We shall see that this problem is much discussed. Further, we have to consider the mutual relations in this connection of the individual with three separate groups, his immediate family, some larger contemporaneous body such as a ship's crew, a tribe, a city or a nation, and finally members of other generations. These distinctions must be stated at the outset because it is not always possible to divide off the comparative materials into watertight compartments. The ideas of human and divine justice are not always clearly differentiated. Closely associated with the idea of guilt is that of merit, and I believe that in the Bible more

or less similar laws apply. This is not true of modern states. For example, in England there are hereditary titles of honour, but there is no corresponding hereditary title of disgrace. Here, however, we are dealing with mere matters of expediency, convenience, politics, historical survival, etc., which have no bearing on our inquiry. In the comparative material there is more about crime than about merit, and it is not always sufficiently abundant for certain inferences to be drawn.

There is a great deal of comparative material collected from various quarters of the globe. The best discussion of this known to me is to be found in E. Westermarck, *The Origin and Development of the Moral Ideas*, I, 2nd ed. (1912), pp. 43–72,[1] which must be strongly recommended to all who are interested in the subject. All I have space to do here is to draw attention to a few points where historical circumstances suggest the possibility, though not in all cases the probability, of connection with Hebrew thought. Wilutsky points out that among the Egyptians the actual offender *with his whole family* could be condemned to hard labour in the gold-mines. He concludes that this is the reason for the provision in the treaty between Rameses II and the prince of the Hittites. "But as for the man who shall be brought to Raamesse-mi-Amūn, the great ruler of Egypt, let not his crime be charged against him, *let not his house, his wives or his children be destroyed*, etc." [2] It must be remembered that Rameses II was the Pharaoh of the oppression, and this Egyptian practice and the objection that was obviously felt to it form part of the surrounding circumstances at which we must look in considering the work of Moses.

It is pertinent, too, to consider the attitude of Baby-

[1] See also P. Wilutzky, *Die Vorgeschichte des Rechts*, III (1903), pp. 58 ff.; cp. pp. 91, 95; A. H. Post, *Studien zur Entwickelungsgeschichte des Familienrechts* (1889), 104–7, 129; *Zeitschrift für vergleichende Rechtswissenschaft*, VII (1887), p. 423; VIII (1889), p. 143; XVIII (1905), pp. 256 f.

[2] I quote from S. Langdon and A. H. Gardiner, "The Treaty of Alliance between Hattušili, king of the Hittites, and the Pharaoh Rameses II of Egypt" (*Journal of Egyptian Archæology*, vol. VI, part III, July, 1920, 197 f.), sect. 17. Sect. 18 contains a similar provision protecting Hittites extradited by Egypt.

lonian thought and law. Interest attaches to a passage of the Gilgamesh Epic XI, 180–194, which shows some resemblance to Ezekiel xiv. 12–20, and may have been present to the prophet's mind. The following translation is taken from L. W. King, "Legends of Babylon and Egypt in Relation to Hebrew Tradition" (*The Schweich Lectures*, 1916) (1918), pp. 133f.:

(180) Ea opened his mouth and spake,

He said to the warrior Enlil:
Thou director of the gods! O warrior!
Why didst thou not take counsel but didst cause a flood?
On the sinner lay his sin,
(185) On the transgressor lay his transgression!
Be merciful, so that (all) be not destroyed! Have patience so that (all) be not [cut off]!
Instead of causing a flood,
Let lions come and diminish mankind!
Instead of causing a flood,
(190) Let leopards come and diminish mankind!
Instead of causing a flood,
Let famine be caused and let it [smite] the land!
Instead of causing a flood,
(194) Let the Plague-god come and [slay] mankind!

It is for the protest against the indiscriminate punishment of good and bad that this passage has been quoted. "We may say, then," writes Dr. L. R. Farnell, "that we find a high degree of morality in early Greece, a still higher at a still earlier period in Babylon, and both are obviously indigenous and natural products. And both reveal the phenomenon that marks an early stage of social morality: as the tribe or the family are one flesh, one corporate unit of life, so the members are collectively responsible, and 'the sins of the fathers are visited on the children.'" This was the familiar law of old Hellas, and we may say of the ancient Mediterranean society. . . . The Babylonian, advanced in moral thought as he was, had not escaped the bondage of the older clan-faith: in an incantation-hymn to Marduk, the man who is seeking deliverance prays, "may the sins of my father, of my grandfather, my mother, my grandmother, my family, my whole circle of kindred, not come near me, may they

depart from my side" (*Greece and Babylon* (1911), pp. 152 f.).

The code of Hammurabi provides (sect. 230) that if a builder has built a house inefficiently and an accident results which is fatal to the owner's son, the builder's son is to be put to death. We may suppose that such a rule in practice always resulted in pecuniary compensation. But in theory it provides for the punishment of the innocent son to the exclusion of the guilty father.

Before passing to the Biblical material we may deal with the latest and most elaborate consideration of the subject in Greek thought. At the end of the pagan period Plutarch discussed the problems with which we are concerned in a dialogue entitled *περὶ τῶν ὑπὸ τοῦ Θείου βραδέως τιμωρουμένων*—"Of those who are punished by the deity late."[1] As it is too long for summary here, I extract only the best ideas. We must judge leniently on this matter, because no mortal can know the reasons of the gods. Human laws often seem absurd enough when considered without adequate knowledge of the lawgiver's mind, how much more so divine. It is suggested that man attains virtue only through imitating the divine, and that slow punishment by God therefore teaches mortals not to punish hastily in anger but to take time. Secondly, the deity regards the state of a guilty soul and gives it a chance for repentance and reformation. Thirdly, a man who has done wrong may do something useful and necessary for mankind in the interval that elapses before his punishment. Wickedness creates its own pain and torment.

With sect. XII Plutarch reaches the accusation that the gods visit the sins of the parents upon the children. He first counters by pointing to the honour paid to the descendants of great men. "It is unreasonable, if we continue to show favour to a virtuous stock, to think punishment wrong in the case of a criminal stock, or that it should not correspond with the adequate reward of merit" (sect. XIII). He then argues that "properties have relation and connections between ends and beginnings, and although the reason of them may not be known

[1] I follow the English translation by A. R. Shilleto.

by us, they silently perform their errand" (sect. XIV).

The public punishments of cities by gods is defended on the ground that "a city is one continuous entity, a sort of creature that never changes from age, or becomes different by time, but is ever sympathetic with and conformable to itself, and is answerable for whatever it does or has done for the public weal, as long as the community by its union and federal bonds preserves its unity," (sect. XV). Similarly with a race "that starts from one beginning, that can trace back intimate union and similarity of faculties, for that which is begot is not . . . unlike the begetter, for it proceeds from him." Hence it is more unjust to melt down a statue of a man which contains nothing of him than to punish his posterity which have innate in them a good deal of their ancestor! (sect. XVI). In a somewhat discursive argument it is then contended that the soul is permanent, that its rewards or punishments (if any) after death are unknown to the living, whereas the punishment of descendants is evident to their contemporaries and so may act as a deterrent, that the gods may detect in the descendants the seeds of even worse sins than those committed by the ancestors and are right to arrest these by punishment before actual crime is committed. The deity is really punishing the criminal in embryo before the occasion has arisen for him to practise his villainy. "The gods do not visit all the offences of parents on their children, but if a good man is the son of a bad one, as the son of a sickly parent is sometimes of a good constitution, he is exempt from the punishment of his race, as not being a participator in its viciousness. But if a young man imitates his vicious race it is only right that he should inherit the punishment of their ill deeds, as he would their debts" (XVII–XXII).

This has been set out as indicating the highest point touched by Greek thought on this subject. Its most famous contribution is the great line of an anonymous poet:

ὄψε θεῶν ἀλέουσι μύλοι ἀλέουσι δὲ λεπτά

paraphrased to fit monotheism in the lines:

The mills of God grind slowly,
But they grind exceeding fine.

Our problems, however, relate not so much to the time of the grinding as to the human grist.

In dealing with the Bible we must note at the outset that the laws for good and for evil, for reward and for punishment, appear to be identical. We find more passages relating to some aspects of the subject than to others, but there is no reason to suppose that different laws apply. There appear to be certain principles governing the effects of conduct whether good or bad.

Another initial consideration is this. A universally true doctrine may be expressed in local or national terms because of the circumstances with which the writer is dealing. It may therefore be that we shall often have to argue from the particular to the general and run the risks that are inherent in this proceeding.

In working at the Biblical material on this subject I have had forced upon me the fact that in the moral world there operates a principle which for lack of a better name must be called the principle of the moral resultant. In dynamics, when two forces travelling in different directions operate on the same body, the joint effect is expressed by the term resultant. Its direction differs from that of either of the two components. There is something similar in our field. A new fact or spiritual experience may begin to modify the individual's thought or character. But thereafter his subsequent thought or character does not consist merely of the effects of the new fact or experience. It is the product of the combined action of his previous condition and the new element, and it will differ from either. The old and the new together form something different. That may be called a moral resultant. Further, in this sphere there may be several resultants, or at least the resultant may operate in more than one field. The change may take effect externally and also internally; in the latter case, however, it will have consequences on the individual's personality which may become very evident in his external relations and in his moral and material status. An instance may be of assistance in this connection. A tribe is broken. Subsequently by signal merit it attains to the priestly position. It still remains a scattered tribe, but obviously the per-

sonality regarded either internally or externally, the moral and even the material status of every member of the tribe is necessarily changed. Strictly, of course, more than one new force has entered into the problem. There has been the internal growth of the merit, the occasion for its display, the consequent elevation of the tribe, and so on, before the final result is reached, but for the purpose in hand it is sufficient at the present stage to regard the new merit by itself. Combining with the condition of the tribe it leaves a state different from either, both in personality and in the external estimation accorded to the members.

As the number of forces that operate on each of us daily is very large, the number of changes is theoretically infinite ; but in point of fact most of the new forces are infinitesimal in their effect, and many of them tend in practice to counteract each other, so that changes in personality are usually gradual and slow. Nevertheless, there are occasions when a distinct alteration is wrought by a new force in a very short period of time that may be reckoned in hours, minutes, and even seconds. It is necessary to bear in mind this idea of a resultant in dealing with these matters.

The resultant will depend on the nature and strength of the forces operating. Every individual affects and is affected by his environment.[1] As a rule the environment exercises by far the more powerful force of the two, but there are times when the individual, by reason of exceptional personal qualities of some kind, or by reason of the opportuneness of their exercise, may enormously

[1] It may be that the individual is prima facie, perhaps, infected to some extent by the vice of the community even beyond the measure in which he shares it. "In the midst of a people of unclean lips do I dwell," is the plea of Isa. vi. 5, but the context of that remark renders the inference doubtful. After all, seeing God in a vision is an experience so far out of the range of ordinary life and so extraordinary in its nature that it seems impossible to argue from it to more usual occurrences or to draw any general inference, and, in any case, the prophet has already pleaded that he himself is of unclean lips. It is easy to lay too much stress on poetical terms of expression, and this is sometimes done by those who write on this passage.

affect the environment. That holds good of the action of many of the outstanding personalities in human history. It is recognized in full measure by the prophets.

There are passages which rest on the view that a deliberate act of the ancestors at a psychological moment may bind their descendants for all time. "Neither with you only do I make this covenant and this oath but . . . *also with him that is not here with us this day*" (Deut. xxix. 14f.); and the context makes it clear that every subsequent generation is irrevocably bound by the covenants and has no choice whatever in the matter. It may be said that there was very little option about entering into the Deuteronomic covenant: but that only throws back the psychological moment to the earlier covenant at Sinai, where we find an offer by God and acceptance by the people (Exod. xix. 3-6), or to some previous date. An agreement to be a holy people is something that binds and is intended to be executed in all generations. There was free will for a nation at one particular moment. Once that will had been exercised, there was no more free will or will in respect of the matter at issue for any subsequent generation or any individual member of that nation whenever born. The act of the fathers here binds the descendants to the last generation. A descendant could indeed transgress or repudiate the covenant, but in so doing he would be laying himself open to its sanctions.

This suggests three separate inquiries: (1) How far did the nation exercise free will at the particular moment? (2) How far does the same law of free will hold for an individual as for a nation? (3) How far should a distinction be drawn in these matters between consequences on the one hand and rewards and punishments on the other?

At the time of the Sinaitic covenant the position of the Israelites was such as to give them little if any real choice. The course of history had placed them in a situation in which their one and only hope lay in the assistance of the God of the fathers. A return to Egypt meant slavery. An advance into Canaan could be achieved only by the defeat of more powerful nations of which there could be no prospect without Divine help. Even for a

sojourn in the wilderness they were dependent on God in the matters of food and drink, and possibly for assistance against the Amalekites. And they had committed themselves to Him by calling to Him for succour in the Egyptian prison. They had therefore reached a juncture of the national history at which in reality only one path lay open to them. The exercise of free will at this particular moment is consequently more apparent than real. If instead of replying to the offer of a covenant with acceptance they had said that they would prefer to remain unbound, the tribes would simply have perished. From the commencement of the oppression up to the time when they agitated for a golden calf the Israelites appear to have had no real opportunity of exercising free will in any important matter. Circumstances were always too strong for them. The real chances for taking a different course appear to have occurred at other times. It is just conceivable that before the beginning of the oppression a man of sufficient foresight and ability might have been able to foresee the imminence of Egyptian hostility and to persuade the tribes to emigrate; but our knowledge is quite insufficient to enable us to say whether at that period the conditions were such as to make successful emigration possible. There may be a suggestion in 1 Chronicles vii. 21 f. that a raid by Ephraimites failed. Putting this aside as too doubtful for an opinion, the only real instances of the exercise of anything like free will in the whole period appear to have occurred in the case of Abraham's decision to leave his family and emigrate, and Jacob's descent into Egypt, for his separation from Laban was the necessary result of increasing hostility on the part of his father-in-law. Of these only the former was a deliberate choice made from political motives, the latter being merely actuated by personal affection and seemingly without any intention of affecting the future of the race in any permanent manner. When therefore we look into the matter closely, we find that the decision of Abraham is the only positive instance of a deliberate exercise of free will with any sense of responsibility for the political future, and that at most it may be said that if during the earlier part of the sojourn in Egypt, or at

the time of Jacob's descent, or in the period between Abraham's arrival in Palestine and Jacob's descent, a strong man had exercised his will to alter the course from that actually pursued, history would have been different. Practically, therefore, there was one exercise of free choice and at other periods a mere unconsidered adoption of the line of least resistance.

Thus in the life of a nation a decision was taken once for all by Abraham. In the absence of any successful attempt to alter the course taken as a result in some subsequent periods when such an attempt seems to have been possible, this led irrevocably to the most momentous consequences for all Israel. There were other decisions at other times which were hardly less important, such as the separation of Ishmael, but it would take us too far to go into these. Substantially it seems to be true that in the particular matter there was free will to take a decision at one particular moment. On other matters, again, other decisions had to be and were taken at other moments, but once taken they were irrevocable and binding for all time. There never was a period after the respective separations when Isaac and Ishmael or Esau and Jacob could have been forced into a single tribe.

So far we have been dealing with a decision for good in the national life. It happens, however, that much of the Biblical thought which we have to review is concerned with a time when the nation was moving towards catastrophe or actually in its throes, and accordingly our material lays stress on the element which is of least importance in considering the antecedents of the covenants, viz. the possibility of departing from the line of least resistance by an exercise of the higher moral faculties. We have seen how little scope circumstances allowed for any reversal of the effects of Abraham's action, though that would have been a change from good to evil. The prophets continually urged the necessity and merit of a reversal of the line of conduct pursued by the nation, and when we recognize its difficulty and the strength of character needed for such a proceeding, we understand why so much virtue is attached to repentance.

In the matter of freedom of will an individual appears

to be subject to the same principle as a nation. At a particular juncture he may have liberty of choice in some matter of the first importance ; but once he has exercised it, he will generally find himself called upon to deal with a chain of consequences that allow him little room to choose. Occasionally, however, there may be a period during which, if he take an exceptional line of conduct, he may raise himself out of the groove that he would otherwise follow as the result of his original decision. Further, with him as with the people that entered into the Sinaitic and Deuteronomic covenants, the action at a particular moment may have the appearance rather than the reality of contemporary spontaneous choice. As the result of one deliberate act on the part of Abraham and a number of subsequent steps which were either inevitable or else at least natural, the people were confronted with situations in which they could not but agree. It is not otherwise with individuals who in the same way are often bound by decisions taken years before. All this, however, helps us to understand the emphasis laid on repentance, its difficulty and its merit.

The attempt is often made to deal with the doctrine of hereditary responsibility by drawing a distinction between consequences and punishment (or reward, as the case may be). This appears to have little value for the purpose in hand. Take the case of a man who suffers from illness caused by the vices of his father. It is a true statement that here the iniquity of the father is visited on the child. It is nothing to the point to say that this is consequence, not punishment,[1] for the phenomenon is there. The law of nature has worked and is equally in need of consideration whatever its results may be called. And if we believe in the existence of a God of justice and hold that it is He Who visits the sin of the father on the children, we have to ask how this is to be reconciled with His justice. The word is not in fact used in this connection either in the Decalogue or in the Attributes. We are told that God *visits* iniquity of the fathers on the children. If that is true, as we know by experience to be the case, we have a revelation,

[1] Often, of course, the consequences *are* the punishment.

or a partial revelation, of a law employed by God in the moral government of the world. Having regard to the importance of the subject-matter, it is surely not less worthy of study and investigation from every possible point of view than any other scientific law.

A further consideration that is germane to the study of some of the material is the principle by which repeated conduct tends to become automatic. If it is not often emphasized, it is nevertheless one of the matters that we must bear in mind.

No study of this subject can have much value unless the materials are sifted very thoroughly and critically, because the passages are full of pitfalls for the unwary. There are, for instance, a number of cases where the motives at work have nothing whatever to do with justice. In many Oriental despotisms it has been the rule for a monarch on ascending the throne to secure his position by removing possible rivals. When, therefore, we read "all my father's house (i.e. Saul's descendants) were but dead men before my lord the king" (2 Sam. xix. 29 (28)), that does not mean that according to any current theory of justice, human or divine, the family of the late king could have been tried and condemned to death. It must be understood as indicating that, had David slain Saul's descendants in order to secure his own throne, he would have been taking a measure of precaution—not of justice—which the public opinion of his age would have regarded as justifiable. Similarly in modern times, when a state going to war interns enemy subjects, it is not suggested that they have been guilty of any offence. The action is taken on grounds of safety, and nobody would suggest that these subjects have necessarily been guilty of any crime. *Salus civitatis suprema lex* is a maxim that finds many applications. This is the reason given in Isaiah xiv. 21, another passage which therefore falls out of consideration. Again, when David thinks it advisable to secure his father and mother from the possibility of injury by Saul (1 Sam. xxii. 1 ff.), it cannot reasonably be supposed that we have to deal with considerations of a judicial order. Here, too, they might be seized as hostages for his good conduct, or the wrathful king might visit

them with vengeance. When David threatens not to leave of all that pertain to Nabal so much as one man child (1 Sam. xxv. 22) he is speaking as a freebooter, not as a judge or a man of God. It is not in such passages that we shall find any doctrine that represents the considered mind of the nation or of any of its responsible elements.

There are passages which contain curses uttered in moments of pain or anger (e.g. Jer. xviii. 21). These are very intelligible, and in so far as the utterance of the curses relieved the feelings of the sufferers, they are praiseworthy. But it does not in the least follow, that had these men by some turn of the wheel of fortune been placed in a position to decide judicially whether their utterances should be literally enforced, they would have been of opinion that such a result was desirable. To arrive at the true value of such expressions we must always ask the two questions: (1) Would the speaker, if sitting as a court of justice with power to enforce his decrees, have ordered anything like the subject-matter of his curse? and (2) Would the responsible opinion of his age have supported him in such a course? They are valuable as evidence only to the extent to which both questions can be answered in the affirmative.

A great source of difficulty is the confusion that is generally inherent in such words as child, son, etc. There is all the difference in the world between a child who has not reached the age of responsibility and an adult. Nobody pities a new-born baby who dies, for it is justly held that there is no ground for such an emotion. But sympathy is rightly felt with the parents. Sometimes our authorities give us information which shows what kind of person is intended. For instance, Ezekiel xviii. deals with adult sons, while the child of David and Bathsheba who died (2 Sam. xii. 13 ff.) was a new-born baby. It is quite unscientific to group such instances together promiscuously, and it is equally unscientific to treat other passages where the data are less clear as if no such distinction existed.

It is not always easy to be sure how far a particular passage is to be pressed. Human speech is by its nature imperfect, and it is rarely possible to make a statement

on any subject that is not open to challenge from some point of view. And the more guarded and accurate a statement is, the less effect it is apt to produce on the hearer. Hence it is necessary for those who address their fellows to endeavour to concentrate on the points that are most important to the particular matter in hand, even at the risk of incorporating matter that may lend itself to misinterpretation when scrutinized from some other point of view. An instance of this may be cited from Jeremiah (ii. 30). In admonishing the people he says, "In vain have I smitten your children; they received no correction," etc. It is possible to press this to meaning, "The children were punished without any fault of their own to be a warning to you." Personally, I believe that this would not be doing justice to the prophet's attitude. He has just said, "Ye all have transgressed against me." If, as seems probable, "children" is here used to denote adult members of the nation (cp. children of Israel, etc.), they were included in the fault. But this and other possible defences seem to me to overlook the fact that the prophet's attention is here concentrated not on laying down a considered doctrine of vicarious responsibility, but on driving home the sinfulness of the people. For this reason I think that the verse ought not to be used as an indication of Jeremiah's thought on the subject.[1]

Again, in a passage like Ezekiel xx. 8 f. (LXX 3 f., but apparently with "lawless" substituted for "righteous") the meaning seems to be not that God judges the righteous, but that He judges Jerusalem, which is so wicked that as a punishment it is to be stripped of all population—righteous or the reverse. I do not think it is intended to express an opinion as to what will happen to the righteous or to suggest that they will undergo punishment for Jerusalem's iniquity.

[1] The attempts to dismember the book of Jeremiah on the ground of alleged inconsistencies in the doctrines it contains on the subject of this paper prove nothing except their authors' ignorance of human nature and lack of psychological insight. The endeavour unduly to extol this prophet and to depreciate others who were greater thinkers is to be deprecated.

Some of the narratives that have come down to us reflect ideas that, while clearly entertained by the majority of people in a particular age, would unquestionably have been rejected by the best minds from the days of Moses onwards. A signal instance of this is provided by 2 Samuel xxiv. God was wrath with Israel, and so He incited David to number the people which, for some reason which we are not told, was regarded as sinful. Later David repents (10 f.). He is given a choice of punishments and elects for a three days' famine. When he sees its results he says, "Lo, I have sinned, and I have done perversely: but these sheep, what have they done? let thine hand, I pray thee, be against me and my father's house" (ver. 17). How David could have sinned if it was God Himself who incited him is not clear.[1] Assuming that he had done so, his remonstrance is just; but that does not square with the statement of God's wrath against Israel. That must have been taken to be due to good and sufficient cause, though we are not told what that cause was. The whole narrative collapses under the criticism of Genesis, "Shall the Judge of all the earth not do justice?" We must take it that there was a census which for some reason did not commend itself to Joab and others, and that a later plague was regarded as a punishment for it. The disapproval of the census may have been perfectly well founded for all we can tell, but the particular colouring given to the facts is due to a mistaken philosophy of history on the part of the narrator. It is here as with some curses and expressions of brigands. We see a view held by a larger or smaller portion of the nation at some time but not the considered and authoritative teaching of the Old Testament.[2]

[1] Professor Löhr accordingly thinks this verse an interpolation, but I think the trouble lies elsewhere.

[2] In 1 Chronicles xxi. 1 we find Satan made the author of the incitement. I think it probable that the original text referred it to a baal, and that 1 Samuel represents one scribal correction, 1 Chronicles another. In that case it may be that originally David began the census, which was for some reason known to be wrong, and that the narrator attributed his action to incitement by a baal whom he distinguished from the God of Israel. This would

In this study passages of inadequate significance are deliberately omitted.

A large number of texts appear to belong to the philosophy of history of editors of the historical books. Such are 1 Samuel ii. 31 ; 1 Kings xi. 11 ff., xiv. 10, xvi. 3, xxi. 21 f., 29 f. ; 2 Kings ix. 7 ff., x. 30. Chronicles has been largely left out of account in this study as representing views very much later than the events.

Nothing of value can be expected to emerge unless we eliminate so far as possible views that rest on late glossing and editing and endeavour to classify the various phenomena on intelligible principles. Certain broad divisions at once appear. There is first the division between the acts of God and those of men. It will clear the ground if we begin by considering the human division first and deal with collective and individual responsibility where men only are concerned.

The principle here is stated with great clearness in Deuteronomy xxiv. 16, "The fathers shall not be put to death for the children, neither shall the children be put to death for the fathers ; every man shall be put to death for his own sin" (cf. 2 Kings xiv. 5 f.), and we have seen (*supra*, p. 81 ff) that Egypt and Babylonia supply a background of comparative materials.

It has been suggested that there are certain exceptions to this principle. These we must consider. Reliance is sometimes placed on the massacre of the priests of Nob by Saul (1 Sam. xxii. 6 ff.). This rests on a confusion between the arbitrary acts of an Oriental tyrant done in fear or vengeance and judicial proceedings. It is true that the king was the supreme court of appeal and that there was not the absolute separation between executive and judiciary that we find in some civilized modern communities. Nevertheless, not every act of the king was done in a judicial capacity, or represented a considered opinion as to the law applicable. Here there is no sem-

make the narrative and its subsequent fortunes intelligible : but it would not be the considered and authoritative teaching of the best representatives of Israel's true religion. We shall meet again with the conception of the solidarity of a people with its moments in sin and in punishment.

blance of a trial or other judicial proceeding. Indeed, the Israelites flatly refused to obey the royal command (17), and it was only the Edomite Doeg who executed the murder. This, then, is not evidence of any other principle. It is merely a case of tyranny. Similarly with 2 Samuel xix. 29 (cf. *supra*, p. 91). Had David executed all Saul's male descendants, his action would have been due to a recognized principle of self-protection which lay outside the judicial sphere.

The narrative of Achan (Josh. vii.) stands on a different footing. In verse 25, after the offender has already been stoned, the Massoretic text adds the words, "and they burnt them with fire and stoned them with stones." This is obviously wrong in view of the previous stoning. It is therefore not surprising to find that the LXX read simply, "The Lord destroy *thee* (not you) even as (omitted by Sahidic and Latin) this day. And all Israel stoned him with stones." The trouble appears to have originated with a glossator who, finding the expression "all that is his" in verse 15, applied it not to his property (which was its correct meaning), but to his family. That the Massoretic text also originally recognized the stoning of one person only is proved by two other considerations: (*a*) the word for stoning used in 25b is quite different from that in 25a; and (*b*) verse 26 continues, "they raised over *him*"—not over them, which would have been inevitable if the original text had included the children in the punishment. For the rest it is well known that in Joshua the original LXX had a very much better text than our Hebrew.

A third instance is that of Naboth. In 1 Kings xxi. Naboth is executed alone after having been found guilty of certain capital offences. It was a judicial murder, because he was convicted on false testimony; but had the evidence been true the whole of the proceedings would have been in strict accordance with the letter and spirit of the law. However, in 2 Kings ix. 26 we find the expression "the blood of Naboth and the blood of his sons." It has been argued that this proves that the sons were (judicially) put to death for the (alleged) offence of the father. This is not correct, for even if

the passage were to be regarded as strictly historical, we could not tell in what proceedings the sons lost their lives. It would be wholly unscientific to set aside the account of Naboth's trial on the strength of such an allusion. The sons may perfectly well have been done to death in some other way. But in point of fact the passage has little claim to be regarded as history. We have seen from our examination of the narrative of the schism [1] how an editor worked up historical materials in accordance with his philosophy of history, and it will appear later that the view taken in this chapter appears to have been influenced by it. Accordingly an incidental mention of this kind cannot be taken to attest any different law in Israel.

The case of the Gibeonites and Saul's descendants (2 Sam. xxi.) is on a different footing, for there we find another principle operating which we shall have to consider later.

The remaining instance cited, Daniel vi. 25 (24), has nothing to do with Israelite law.

We must here mention a case that is on the borderline between human and Divine justice, and in its fundamentals falls into the latter category. It is sometimes said that Deuteronomy xiii. 13 ff. condemns to death the innocent members of a city together with the guilty, but this seems to be only partly true. Its provisions could only apply to citizens who had failed to carry out the law of verses 7–12. Whether it is intended that the children under responsible age should be killed does not clearly appear. There are, however, other passages in which young children are regarded as appurtenances of their parents. The real reason for this law is the principle of self-preservation. It is to be applied only where the fundamental principle of the religion is menaced. Whether in those circumstances and in that age adequate provisions were possible to protect young children is not known; probably not. In any case, where the existence of the religion was at stake, such a law would be imperative even if it involved innocent children; for in matters of statesmanship the best practical course has to be

[1] See *Bibliotheca Sacra*, October, 1921.

accepted. If this involved any seeming injustice to the children, it is immaterial, for, as we shall see later, the final solutions of our problems take into account a life after our present existence.

The individualistic principle of human justice is, however, tempered by some other considerations. Bloodshed is not a matter that can be left alone. It must be expiated by punishment or sacrifice. Hence we find it laid down in Deuteronomy xxi. 1–9 that where a murder has been committed and the criminal cannot be traced, recourse must be had to certain expiatory measures by people who may have been entirely innocent. Similarly, mere neglect to make a parapet can give rise to blood-guilt (Deut. xxii. 8), though we are not told exactly what consequences would follow.

Blood, then, defiles a land and must be expiated by punishment or sacrifice. Otherwise God will hold the land responsible "For he that maketh inquisition for blood remembereth them" (Ps. ix. 13 (12)). One corollary of this principle is contained in the law of Deuteronomy xxi. 1–9 (noticed above), where the slayer is unknown. With the rise of the kingdom, however, it became the duty of the king as the supreme executive to prevent the defilement of the land or to take the necessary measures when innocent blood had been shed. In 2 Samuel iii. 28 f. we find David powerless to enforce justice against Joab, declaring his guiltlessness for the blood of Abner, and praying that it may fall on Joab and his family (cp. iii. 38 f. in the M.T.). In 1 Kings ii. 31 Solomon orders an execution "that thou mayest take away the blood which Joab shed without cause from me and from my father's house." The guilt of his murders is to "return upon the head of Joab and upon the head of his seed for ever," David and his house being guiltless (32 f.). These expressions apparently mean that the death of Joab creates no new blood-feud, because he was guilty and justice demanded his punishment. Otherwise the guilt would have fallen on the royal house and Joab's next-of-kin would have been bound to endeavour to avenge his murder. The same idea of the justice of visiting blood on a man of blood

underlies 2 Samuel xvi. 8. Similarly, when the king interfered with the course of justice to prevent the execution of the guilty, the iniquity would naturally fall on him and his throne unless God diverted it (2 Sam. xiv. 9).

The story of the Gibeonites in 2 Samuel xxi. is interesting from many points of view. In violation of the national oath Saul had sought to slay them in an access of chauvinism. As the people failed to enforce justice, God sent a famine. The sequel throws an interesting light on Gibeonite ideas of justice. We have seen that in the code of Hammurabi negligence on the part of a builder was to be visited not on him but on his son. Deuteronomy xxiv. 16 had forbidden this in Israel, and, as we have learnt, there is no recorded instance of a judicial penalty being inflicted on children for the parents. But the Gibeonites retained ideas similar to Hammurabi's which doubtless had their origin in the earlier form of the blood-feud and the early ideas of solidarity. They refused monetary compensation, and the refusal seems to indicate that it was in their power to accept it had they so desired. They also refused to regard Saul's guilt as the guilt of Israel in general. Here, again, we may perhaps infer that it was open to them to say, "Hand over to us for punishment the men who actually participated in the crime at Saul's command." But they said, "The man that consumed us, and that devised against us . . . let seven men of his sons be delivered unto us, and we will hang them up." Here, most clearly, the Gibeonites visit the sins of the father on the sons and the sons' sons.[1] This could not have been done lawfully by Israelites. It represents an earlier non-Israelite conception of justice mingling with the Israelite view that if innocent blood be shed expiation or punishment is necessary, otherwise God will visit the offence on the people.

[1] Our age is so steeped in individualistic notions that it necessarily regards the attitude of the Gibeonites as barbarous. Query: Is it less barbarous to permit Turkish notables to massacre hundreds of thousands of Armenians without inflicting any punishment? If the modern world habitually enforced the Gibeonite principle in such cases, would crimes of this character be more or less frequent?

Human justice, then, is based in Israel on the individualistic principle. In this it presents a marked contrast to the action of God, for in Divine justice the individualistic is but one of several principles that appear to be working concurrently, and a careful examination of the texts is necessary to elicit their general thoughts.

A passage, the significance of which must not be exaggerated, is to be found in Leviticus xx. 2 ff. He who gives his seed to Molech is to be stoned to death. That is entirely in accordance with the individualistic view. "But if the people of the land hide their eyes from that man . . . not to put him to death, then *I* will set my face against that man *and against his family*, and will cut off him and *all who go astray after him*" (4 f.). It is perhaps here assumed that the failure of human justice is due to the family. Their duty would be to bring him to justice. If they do not effect this their acquiescence is criminal. They are going astray after him and are accessories to his crime. We shall see later that in the case of nations a similar principle prevails, Divine punishment being threatened where human justice breaks down or is inoperative. More probably, however, this passage contains another thought: if the man is not brought to justice he will corrupt his family, who will go astray after him, and it is for that reason that the area of punishment becomes more extensive.

A further class of cases appears to depend on the view that children who are too young to have attained to responsibilities are not substantially damnified by death. We do not know that the thought of early Israel ever accepted the principle, "Whom the gods love die young," but at least one prophet regarded death at a particular juncture as the guerdon of virtue (Isa. lvii. 1 f.) It is certainly impossible to pity the baby or young child, and we may explain the death of David's child (2 Sam. xii. 14) on this principle.

A doctrine of divine punishment of descendants for the sins of ancestors is clearly laid down in a number of passages. In Exodus xx. 5 we read, "Thou shalt not bow down to them or serve them, for I am the Lord thy God, a jealous God, visiting the iniquity of the fathers

on sons, on the third generation and on the fourth of those who hate me" (cp. Deut. v. 9). In Exodus xxxiv. 7 we find the words "visiting the iniquity of fathers on sons and on sons' sons, on the third generation and on the fourth generation," and here the expression is not attached to any particular offence. It is important to notice the context. It is among the attributes of God that the principle is laid down. That means that Hebrew thought accepts it as true in the most downright and uncompromising fashion (cp. Jer. xxxii. 18). What limitations there may be on the principle is of course a separate question, but there can be no shirking of its existence. In some way and within some limits hereditary responsibility is recognized as a law of the moral world. It is quoted by Moses in Numbers xiv. 18, where as the result God pardons the people, but insists that the men who have actually tried Him shall not see the promised land; i.e. He averts the hereditary punishment but inflicts the individualistic in a mild form.

So, too, in Leviticus xxvi. 39: "And they that are left of you shall pine away in their iniquity in your enemies' lands; and also in the *iniquities of their fathers* shall they pine away with them." But the following verses suggest that compassion or repentance will lead to God's remembering the covenants.

The punishment of descendants for the apostasy of the ancestors is common in the prophets. See Hos. ii. 6 f.; Jer. ii. 8 f., xiv. 20, xvi. 11 ff., xix. 4; Isa. lxv. 7; Neh. xiii. 18; [1] and see Lam. v. 7; in Mal. ii. 12 the text is not quite certain.

It is, however, sometimes suggested in these passages that the descendants have continued and even amplified the sin (Jer. xvi. 12, xix. 4, "they and their fathers and the kings of Judah"; Isa. lxv. 7; cp. Dan. ix. 16).

The doctrine of the punishment of descendants was, however, not limited to the case of apostasy. The attitude of Hosea i. 4 makes this clear. "For yet a little and I will visit the blood of Jezreel on the house of Jehu and bring to an end the kingdom of the house of Israel."

[1] In the LXX this passage (2 Esdras xxiii. 18) runs, "Our God brought *upon them and* upon us all these evils," etc.

The reference is to the crime narrated in 2 Kings x. Jehu, to secure his kingdom, induced the authorities of Jezreel to put to death the seventy sons of Ahab. The author of the chapter reads into the event (ver. 10) a fulfilment of an earlier prophecy, but the verse of Hosea shows that this is not the original or correct view, and that here, as elsewhere, a later philosophy of history is misinterpreting the events. Hosea gives expression to a much earlier and truer view according to which Jehu had committed a dastardly crime that called to Heaven for punishment.[1]

Hereditary reward is promised to the king for right doing in Jeremiah xxii. 3 f. Its refusal is a punishment in verse 30. The idea of hereditary reward is, however, common (Prov. xx. 7, and especially xiv. 26; Ps. xxxvii. 25; and see the cases of the Levitical priesthood, etc., the reward of Abraham in the promises about his seed, Gen. xii., xxii. 16–18, etc.). Closely connected with this is the idea of remembering promises or covenants made with ancestors, yet the latter conception is different to some extent because it imports the notion of a contractual relationship (Gen. xxvi. 5, 24; Exod. xxxii. 13; Lev. xxvi. 42, 45). Nevertheless, this relationship only gives formal expression to the conception of hereditary reward. Again, Genesis iii., ix. 25 ff., teach a doctrine of hereditary punishment.

In Genesis xviii. 18 f. a further reason is suggested and the conception of hereditary reward is combined with the idea of the opportunity for continued training in virtue.

The people is regarded as responsible for the acts of the king (1 Kings xx. 42, where the people has to pay for the king's mistake; cp. Gen. xx. 9), and these may be visited on later generations (2 Kings xxi. 11 ff., xxiii. 26, xxiv. 3 f.; Jer. xv. 4 (Manasseh), xix. 4 (they and their fathers and the kings of Judah), xxxvi. 30 f. (Jehoiakim, where, however, the earlier part of the chapter shows that repentance would have saved the people—verses 3, 7)). Similarly David's merit benefited subsequent generations (2 Kings xix. 34, xx. 6), and here the view

[1] Job xxi. 19 is a passage of doubtful meaning.

is due, not to a (possibly late) editor, but to Isaiah.

A series of passages deals with the responsibility of other leaders of the people such as prophets. Jeremiah xxiii. 14, while condemning the prophets in the strongest terms, yet does not hold the people of Jerusalem guiltless. Her inhabitants are likened to Gomorrah. So too verses 25–31, where, however, the guilt of the people as accessories is more clearly stated in the words "and my people love to have it so," and in the whole of the earlier part of the chapter. This is also the explanation of Jeremiah xiv. 16. In Ezekiel iii. 16–21 the responsibility of the prophet who fails to give warning is laid down, "The wicked man shall die in his iniquity, but his blood will I require at thine hand." The problem is discussed at greater length but on the same lines in xxxiii. 1–20.

The nation is held punishable for the wickedness of a dominant class or classes or sometimes for a section or an individual. This is the view expressed in Joshua xxii. 18–20; Amos iv.; but see Numbers xvi. 22.

Micah iii. 9–12 lays down that the city may be destroyed because of the corruption of the governing classes. Where, however, these are corrupt, the whole nation is necessarily affected, "and my people love to have it so." And it is to be remembered that in this instance repentance averted the evil decree (Jer. xxvi. 18 f.).

Again, the story of Jonah suggests that the ship could be destroyed for the wickedness of one man, but the crew could avert this fate by throwing him overboard. (It may, however, be questioned how far this is to be treated as deliberate doctrine rather than as part of the *mise en scène* of the real lessons of the book.)

It is noticeable that in many of the passages where national punishment is threatened it is as the result of either an offence against international morality or else a failure of human justice to function properly (Joel iv. (E.V. iii.) 1–8; Amos i. 3—ii., etc.).

In a general misfortune caused by the wickedness of the general body or of an earlier generation, what is to happen to the righteous? Indeed, of what avail is righteousness in the individual if he belongs to a larger

corpus (nation, family, city) which is already condemned for general sin or the inherited consequences of the sins of an earlier generation? To this our texts offer several answers.

A number of passages proceed on the view that merit will save the individual from the evil that would otherwise overtake him jointly with the other members of the class. Classical expression is given to this in the case of Lot (Gen. xviii. f.) Sodom could have been saved by the presence of ten righteous men. In their absence, though the city was destroyed, the one innocent man was rescued with his family. Cp. 1 Kings xix. 18; Zeph. ii. 3; Jer. v. 1 (reading "them" for "her" with several ancient versions); Psa. xci. 7, 10 ff. Jeremiah xxi. 8 ff. sets the way of life before every individual even in a time of great calamity. Ezekiel xiv. 12–23 expressly limits the deliverance to the righteous individuals and excludes (? adult) sons and daughters. See also Jeremiah xxxix. 16–18 (Ebed-melech) and perhaps xlv. 5 (Baruch). In this matter the doctrine of the various passages is not always consistent in this respect following life.[1]

Conversely, individual guilt will meet with suitable punishment.

According to one series of passages, when a national calamity is imminent, wrongdoing on the part of an individual can involve not merely himself but his family in the worst aspects of the disaster (Amos vii. 17 (Amaziah of Bethel); Jer. xx. 6 (Pashur), xxxvi. 30 f. (Jehoiakim), where it should be noted that earlier in the chapter it is laid down that the people could have secured forgive-

[1] Probably all these data require to be supplemented by certain general considerations. Much depends on how far the evil (or good) has penetrated into the general body, on its nature and on the strength of the countervailing force. If matters have not gone too far, or if the countervailing force is exceptionally strong by reason of its character, its opportunity, or any other material factor, there may be a change for the better. On the other hand, matters may have gone too far for a complete reversal. The length and quality of the work for evil accomplished in the reign of Manasseh had accomplished results which even a Josiah could not undo. The principle in these matters is best suggested by the parallel of a resultant.

ness by returning from their evil ways—verses 3, 7).

Similarly, individual virtue may operate to the benefit of the individual's house (Noah (in contrast to Ezek. xiv. 12 ff.), Lot).

On occasion wrongdoing by an individual, even when there is no national calamity imminent, may involve his house in punishment (Gen. xx. 7, 17 ; Jer. xxiii. 34) ; and according to the Hebrew Dathan and Abiram's wives and children were involved in their fate in Numbers xvi. The text is, however, not quite certain.

Side by side with the ideas of collective and hereditary responsibility we find a number of passages that teach the doctrine of individual reward and punishment : "Say ye of the righteous that it shall be well with him : for they shall eat the fruit of their doings. Woe unto the wicked ! it shall be ill with him, for the reward of his hands shall be given" (Isa. iii. 10 f., cp. i. 19 f. ; Jer. xvii. 5–11 ; Deut. vii. 10 ; Isa. xxii. 15 ff. (Shebna and Eliakim) ; Num. xiv. 24 (Caleb) ; Ps. lxii. 13, and other passages). For the combination of the two ideas, Deuteronomy vii. 9 f. may be quoted : "the faithful God, which keepeth covenant and mercy with them that love him and keep his commandments *to a thousand generations* ; and repayeth them that hate him *to their face, to destroy them* ; he will not be slack to him that hateth him, *he will repay him to his face.*"

It is often implied that a single personality can, in some cases, stem the tide of evil. Isaiah li. 18 f., lix. 16 (the whole chapter should be read), lxiii. 5, and especially Ezekiel xxii. 30, "And I sought for a man among them that should make up the fence, and stand in the gap before me for the land, that I should not destroy it ; but I found none," yet obviously there might have been (cp. xiii. 5). Here, of course, everything depends on the calibre of the personality, but, given the right man, he can save his people.

There are, however, certain other passages which by reason of their importance and of striking peculiarities of one kind or another claim separate and detailed consideration. The first of these is Jeremiah xxxi. 27–30. The prophet here quotes the proverb, "The fathers have

eaten sour grapes, and the children's teeth are set on edge," and looks forward to a future period when this shall no longer be true. "But every one shall die in his own iniquity; every man that eateth the sour grapes, his teeth shall be set on edge." That may be a solution for a future age, but obviously, so far as the present and all preceding generations are concerned, it is simply throwing up the sponge. And this comment is as true of our own generation as it was of Jeremiah's. If that be the answer, and the whole answer, it cannot meet the criticism, "shall the judge of the whole earth not do justice?"

A more important discussion of the same proverb is to be found in Ezekiel xviii. As it stands the chapter is not very intelligible. The principle, "Behold, all souls are mine; as the soul of the father, so also the soul of the son is mine" (ver. 4), is clear enough, but what is meant by the following words, "the soul that sinneth shall die"? What is the moment at which the decision as to this life and death is to be taken? Some interpreters have assumed that the prophet is here setting forth God's final judgment on each soul and complain of the manifest injustice of leaving out of account its previous record (22, 24, etc.). This, however, is clearly erroneous. It is easiest to test the chapter by taking human justice as a parallel. If a man commit murder, it would be no defence for him to say, "True, I murdered this man, but for so and so many years of my life I murdered nobody else, and therefore I ought to escape punishment." Conversely, if he be tried for the murder of A and is proved to be innocent of the crime, a conviction cannot be obtained by urging that thirty years ago he murdered B. This is precisely the attitude here taken by Ezekiel. The thought of the chapter is coloured by the idea of an imminent judgment, and we must remember that the historical background is provided by the peril to Jerusalem. It does not relate to general judgment on the whole of a man's life, but expands the doctrine that in a general catastrophe an individual may by righteousness save himself. This, the prophet lays down, is independent of anything that his father may have done, and is the fruit of the line of

conduct that he is pursuing at the particular moment of trial, even if in an earlier period of his life he had been following a different course.

The question naturally arises how far this chapter provides any permanent solution for those who live in other historical circumstances. Can any general doctrine be deduced from it? The answer seems to be that while it is directed primarily to the facts of one conjuncture, the principle is equally applicable to other like conjunctures. It can, of course, be given a wider application, but only by reading in something which Ezekiel has not actually said, though he might have agreed with it. In every life there come crises. The conduct of the individual in such a crisis and its consequent issue are determined by the course he has been following.

So far our materials have only yielded us a partial solution of our problem. The passages we have now to consider are, however, more satisfying, and show us a reconciliation of the two principles, "visiting the iniquity of the fathers on the children unto the third and fourth generations," and "shall the Judge of the whole world not do justice?" The two chief of these are Psalm lxxiii. and Isaiah lviii. Isaiah liii. should also be read in this connection. The answers they supply are as follows:

1. The *Personality* of the individual gains indefinitely from his doing right.

2. He enjoys communion with God in this life.

3. Owing to the immortality of the soul there is a reward hereafter.

4. The evil wrought by the sin of the ancestor may be reversed either in the lifetime of the descendant who changes the course, or in the days of his successors, or alternatively it may be converted from a curse into a blessing.[1] (Compare what was said above about the power of one personality.)

If, now, we seek to summarize the principles that

[1] Even so it was with the tribe of Levi. For the sin of its ancestor it was scattered in Israel (Gen. xlix. 5–7), yet it so comported itself that the evil decree was turned to good (Deut. xxxiii. 8–11; Mal. ii. 2 f.).

seem to emerge from the inquiry after the material has been thoroughly sifted, the results appear to be somewhat as follows :

For good and for evil the individual does not stand alone in the world. He belongs to a number of larger entities ; he is heir of the generations that precede, faced by a state of things that they have helped to produce, and an ancestor of the generations that follow, helping to produce the state of things that they will have to face. His action is conditioned by the preceding and surrounding circumstances, but within these limits it has greater or less power, and it operates to change the direction and velocity of the other forces at work. It will rarely run absolutely counter to the surrounding tendencies or his past record. But where it does and the change is for good, it possesses great virtue on account of the difficulty of the feat. Hence the emphasis laid on repentance, which in reality is merely an illustration of the other principles we have considered. On the other hand, in the absence of any *measure* of the comparative strength of the forces at work, it is difficult to formulate the ideas in operation satisfactorily.

Thus far the Bible. This, however, is merely a fragment of what is required for a proper treatment of the subject. It is only by the co-operation of many different minds working in different fields that we can hope to achieve satisfactory progress in grasping the laws that govern the universe, and something has already been said of this. On another side, again, we shall not reach the final solution until we have a complete explanation of the problems of suffering and of sin. And here, too, we must rely on science and experience (including history) and the data with which they are concerned. It is obvious that any comprehensive answer in this field must embrace the questions of the cruelty of nature and animal suffering, and nothing can be completely satisfactory that does not explain how such facts are to be reconciled with the Divine justice. The task of finding an answer is gigantic, yet there is no reason why good progress should not be made if only the necessary interest can be aroused. Two features may be regarded as hopeful. On the one hand,

the great growth of modern manifestations of various kinds of solidarity should attract increasing attention to this side of the inquiry. On the other, heredity and psychology are being scientifically studied as never before, and we may look for important contributions from these sciences. Is there any reason why the great questions to which this paper has been devoted should not be approached in the spirit and with the methods of true scientific research?

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